

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

257

2023:PHHC:052026
CRM-M-6035-2023
Decided on :13.04.2023

Sonu and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Inderjit Singh, Advocate
for the petitioners.

Mr. Amit Rana, Sr.DAG, Punjab.

Mr. Tushant Deep Garg, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J.(ORAL)

The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.121 dated 03.06.2021, under Sections 379, 34 and 411 (added later on) IPC, registered at Police Station City Samana, District Patiala (Annexure P-1) on the basis of compromise deed dated 13.01.2023 (Annexure P-2 arrived at, between the parties.

Vide order dated 08.02.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 28.02.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report dated 28.02.2023 has since been received from the learned JMIC, Samana in pursuance of the direction of this Court. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will.

The trial Court has annexed the photocopies of the statements of the parties alongwith its report.

Learned State counsel also submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned JMIC, Samana and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

13.04.2023

mamta

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No