

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

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2023:PHHC:052032
CRM-M-6561-2023
Decided on : 13.04.2023

Kamaljeet Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Tejinder Pal Singh, Advocate
for the petitioners.

Mr. Amit Rana, Sr.DAG, Punjab.

Mr. GBS Gill, 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.0009 dated 21.01.2023, under Sections 325, 323, 34 IPC, registered at Police Station Nandgarh, District Bathinda (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise dated 30.01.2023 (Annexure P-2) arrived at, between the parties.

Vide orders dated 08.02.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 28.02.2023 to get their statements recorded regarding the compromise arrived at, between them. Vide order dated 23.02.2023, statement of respondent no.2 was ordered to be recorded through electronic mode.

Report dated 14.03.2023 has since been received from the learned JMFC, Bathinda 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 copies of the statements of the parties and statement of Investigating Officer in original 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, Bathinda 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:
Whether reportable:

Yes/No
Yes/No