

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8006-2021
Decided on : 04.01.2023

Om Parkash

..... Petitioner

Versus

State of Punjab & another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : None for the petitioner.

Mr. Ramndeep Pratap Singh, Sr. DAG, Punjab.

None for respondent No.2.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.101 dated 31.05.2016 under Sections 406/420 IPC registered at Police Station City Kharar, District SAS Nagar (Mohali) and all the consequential proceedings arising out of the same, on the basis of compromise deed dated 31.05.2017 (Annexure P-2) arrived at, between the parties.

Vide order dated 15.03.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate upto 08.04.2021 to get their statements recorded regarding the compromise arrived at, between them.

Report dated 06.05.2021 has since been received from the learned SDJM, Kharar in pursuance to 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 on instructions from ASI Kulwinder Singh, also submits that there are no other accused other than the petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned SDJM, Kharar 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

04.01.2023

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No