

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

258

CRM-M-8061-2023 (O&M)

Date of decision: 17.05.2023

Sahil

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Yaseen Sethi, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab
for respondent No.1-State.

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.47 dated 23.03.2021 under Sections 324, 323 and 34 of the IPC (Section 326 of the IPC added lateron) registered at Police Station City Fazilka, District Fazilka and the consequential proceedings arising out of the same, on the basis of compromise dated 06.02.2023 (Annexure P-3) arrived at, between the parties.

2. Vide order dated 17.03.2023 of this Court, the parties were directed to appear before the learned Trial Court/Illaqa Magistrate on 17.04.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate First Class, Fazilka, in pursuance of the directions of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. 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 and the complainant has also made statement to the effect that he would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The trial Court has annexed the statements of the parties in original, alongwith its report.

5. Learned State counsel submits that one more person namely Chanchal was arrayed as an accused in the FIR in question, however, during investigation he was found innocent and the challan was filed only against the present petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Judicial Magistrate First Class, Fazilka 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.

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

17.05.2023

Vinay

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No