

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

254

CRM-M-9827-2021

Date of decision: 31.01.2023

Satnam Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. P.S. Dhaliwal, Advocate
for the petitioners.

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

Mr. Kuldeep Singh Siwach, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.169 dated 04.07.2005 under Sections 420, 467, 468, 471 and 120-B of the IPC registered at Police Station Kotwali Barnala, District Barnala along with all consequential proceedings arising therefrom including judgment of conviction and order of sentence dated 04.06.2018 passed by learned Chief Judicial Magistrate, Barnala on the basis of compromise dated 15.02.2021 (Annexure P-5).

Learned counsel for the petitioners submits that the parties have arrived at an amicable settlement subsequent to the conviction of the petitioners vide Annexure P-5. In support of his submissions, he has placed reliance upon judgment of the Hon'ble Supreme Court in *Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of Madhya Pradesh' decided on 25.10.2021 : LL 2021 SC 589* and this Court in *Sube Singh and another Vs. State of Haryana and another :*

2013(4) RCR (Criminal) 102.

Learned counsel appearing for respondent No.2 does not dispute the submissions made by counsel opposite and the factum of compromise having been indeed arrived at between the parties.

Vide order dated 04.07.2022 of this Court, the parties were directed to appear before the learned Additional Sessions Judge, Barnala to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Additional Sessions Judge, Barnala, 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 a statement to the effect that he would have no objection if the FIR *qua* the petitioners is quashed.

The learned Additional Sessions Judge, Barnala has annexed the statements of the parties in original, alongwith his report.

Learned State counsel too 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 Additional Sessions Judge, Barnala and the principles laid down by the Apex Court in ***Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of Madhya Pradesh' decided on 25.10.2021 : LL 2021 SC 589*** and this Court in ***Sube Singh and another Vs. State of Haryana and another :***

2013(4) RCR (Criminal) 102, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising therefrom including judgment of conviction and order of sentence dated 04.06.2018 passed by learned Chief Judicial Magistrate, Barnala, are quashed.

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

31.01.2023

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(MANJARI NEHRU KAUL)
JUDGE

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