

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.8376 of 2023
Date of decision: 11th April, 2023

Amrik Singh & others

... Petitioners

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Dr. Naresh Kaushik, Advocate for the petitioners.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for respondent No.1/State.

Mr. Naveen Siwach, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C.
for quashing FIR No.77 dated 03.05.2017 (Annexure P-1) under
Sections 406, 420, 120-B IPC registered at Police Station Phase-I,
District Mohali along with all consequential proceedings arising
therefrom on the basis of compromise dated 13.02.2023 (Annexure P-2)
effected between the parties.

Vide order dated 15.03.2023 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.

Report has since been received from learned Chief Judicial
Magistrate, SAS Nagar Mohali, in pursuance of the direction 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.

The trial Court has annexed the statements of the parties in original, alongwith its 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 Chief Judicial Magistrate, SAS Nagar Mohali 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 v. 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

April 11, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No