IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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2023:PHHC:085983

CRM-M-9785-2023
Date of decision: July 7th, 2023

Baldev Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rohit Sapehiya, Advocate
for Mr. N.S. Dadwal Advocate
for the petitioners.

Mr. Vinay Kumar Gupta, Assistant Advocate General, Punjab.

Mr. Jagjit Singh, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.0121 dated 29.06.2019 lodged under Sections 420, 406, 120-B of the Indian Penal Code, 1860 at Police Station Sadar, Jagraon, District Ludhiana Rural and the consequential proceedings arising out of the same, on the basis of compromise dated 17.02.2023 (Annexure P-2) arrived at, between the parties.

Vide order dated 23.02.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 22.03.2023 to get their statements recorded regarding the compromise arrived at between them. However, statement of respondent No.2 could not be recorded on the said date, which was ordered to be recorded on 09.05.2023 vide order dated 24.04.2023.

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Report has since been received from learned Sub Divisional Judicial Magistrate, Jagraon, 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 she 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, along with 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 Sub Divisional Judicial Magistrate, Jagraon, 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.

July 7th, 2023 **(MANJARI NEHRU KAUL)**
Puneet **JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No

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