

**254 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-10254-2023
Decided on : 24.04.2023

Moti Ram and others

..... Petitioners

Versus

State of Punjab & another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. G.S.Sidhu, Advocate
for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Mohit Kumar, Advocate
for respondent No.2.

Manjari Nehru Kaul, J.

1. Instant petition has been filed under Section 482 Cr.PC for quashing FIR No.67 dated 02.08.2014 registered under Sections 419, 384, 34 IPC (Section 511 IPC added later on) at Police Station Rureke Kalan District Barnala as well as judgment of conviction dated 20.08.2021 (Annexure P-2) and all the subsequent proceedings arising therefrom on the basis of compromise dated 17.02.2023 (Annexure P-3).

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-2. 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. He does not also oppose the prayer made by counsel opposite for quashing of judgment of conviction.

Vide order dated 27.02.2023 of this Court, the parties were directed to appear before the learned Sessions Judge, Barnala on 24.03.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report dated 15.04.2023 has since been received from the learned Sessions Judge, Barnala in pursuance of 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 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 Sessions Judge, Barnala has annexed the statements of the parties in original alongwith his report.

Learned State counsel also 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 Sessions Judge, Barnala and the principles laid down by the Apex Court in ***Ramgopal and another vs. State of Madhya Pradesh, 2021(4) RCR (Crl.) 322***, and also by 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 20.08.2021 passed by learned Addl. 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.

(MANJARI NEHRU KAUL)
JUDGE

24.04.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No