

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

**CRM-M-11225-2023
Date of decision: 09.05.2023**

MANJIT SINGH **...Petitioner**
V/s
STATE OF PUNJAB AND ANR. **...Respondents**

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sandeep J. Majithia, Advocate
 for the petitioner.

 Mr. Amit Rana, Sr. DAG, Punjab.

 Mr. Amritpal S. Sohal, Advocate for
 Mr. Palwit, Advocate for respondent No.2.

MANJARI NEHRU KAUL J. (ORAL)

1. The instant petition is for quashing of FIR No.0096 dated 18.05.2017, lodged under Sections 447, 511, 148, 149, 427 and 506-IPC of the Indian Penal Code, 1860 registered at Police Station Model Town, Police Commissionerate, Ludhiana, District Ludhiana and the consequential proceedings arising out of the same, on the basis of compromise affidavit (Annexure P-2) arrived at, between the parties.
2. Vide order dated 03.03.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate within 30 days to get their statements recorded regarding the compromise arrived at, between them.
3. Report has since been received from learned Judicial

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Magistrate, Ist Class, Ludhiana 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-petitioner is quashed.

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

5. Learned State counsel too submits that there are no other accused other than the 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, Ist Class, Ludhiana 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.

(MANJARI NEHRU KAUL)
JUDGE

09.05.2023
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No