

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

234

CRM-M-12383-2023

Date of decision: 31.05.2023

Harpreet Singh @ Peeta @ Fauji

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Paras Khindri, Advocate for
Mr. A.S. Khinda, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. K.S. Brar, Advocate for
Ms. Navjot Kaur, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.17, dated 17.01.2021, lodged under Sections 323, 341 of the Indian Penal Code, 1860 (Section 325 IPC added later on) registered at Police Station Sultanpur Lodhi, District Kapurthala and the consequential proceedings arising out of the same, on the basis of compromise affidavit (Annexure P-2) arrived at, between the parties.

Vide order dated 21.03.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 19.04.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi, 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-petitioner is quashed.

The trial Court has annexed the copy of statements of the parties alongwith its report.

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.

In view of the report of the learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi 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.

31.05.2023
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(MANJARI NEHRU KAUL)
JUDGE

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