

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

CRM-M-13662-2022
Decided on : 13.01.2023

Harkirat Singh

..... Petitioner

Versus

State of Punjab & ors.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. J.S.Ghuman, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Ajiteshwar Singh, Advocate
for respondents No.2 to 6.

Manjari Nehru Kaul, J.

The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.46 dated 23.04.2019 under Sections 323, 325, 148 and 149 IPC registered at Police Station Maqsudan, District Jalandhar Rural and all the consequential proceedings arising out of the same, on the basis of compromise deed dated 17.02.2022 (Annexure P-2) arrived at, between the parties.

Learned counsel for the petitioner submits that the FIR in question qua other accused already stands quashed vide order dated 31.05.2022 passed by this Court. Learned counsel further submits that the petitioner is resident of Australia and that is why, the FIR could not be quashed earlier against him alongwith the co-accused.

Vide order dated 21.11.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on

23.12.2022 to get their statements recorded regarding the compromise arrived at, between them.

Report dated 06.01.2023 has since been received from the learned JMIC, Jalandhar in pursuance to 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. The trial Court has annexed the photocopies of the statements of the parties alongwith its report.

Learned State counsel also submits that there are no other accused other than the petitioner and the respondent Nos.2 to 6 are the only aggrieved persons in the FIR in question.

In view of the report of the learned JMIC, Jalandhar 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.

(MANJARI NEHRU KAUL)
JUDGE

13.01.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No