

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

249

CRM-M-21631-2018

Date of decision: 17.05.2023

Labh Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. A.S. Narang, Advocate and
Ms. Manpreet Kaur, Advocate
for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab
for respondent No.1-State.

Mr. Shailendra Sharma, Advocate
for respondent No.2.

Mr. Arshdeep Singh Sra, Advocate
for respondent No.3.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.56 dated 25.06.2015 under Sections 406, 420 and 120-B of the Indian Penal Code, 1860 registered at Police Station Mullanpur Garibdas, District S.A.S. Nagar (Mohali) and the consequential proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

2. Short reply by way of affidavit of Dharamvir Singh, PPS, Deputy Superintendent of Police, Sub Division Kharar-II, District SAS Nagar (Mohali) has been filed in the Court today which is taken on record subject to all just exceptions. A copy thereof has been supplied to the counsel opposite.

3. Vide order dated 10.12.2019 of this Court, the parties were

directed to appear before the learned Trial Court/Illaqa Magistrate on 10.01.2020 to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Judicial Magistrate Ist Class, Kharar, 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-petitioners is quashed.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.3-complainant is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Judicial Magistrate Ist Class, Kharar 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.

17.05.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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