

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

274

CRM-M-15620-2023

Date of decision: 28.08.2023

Navdeep Singh @ Nannu and another

.....Petitioners

Versus

The State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. J.S. Jaidka, Advocate
for the petitioners.

Mr. I.P.S. Sabharwal, DAG, Punjab
for respondent No.1-State.

Mr. Jasmeet Singh, Advocate for
Mr. Amit Gupta, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.70 dated 16.04.2022 under Sections 379B, 34 of the Indian Penal Code, 1860 registered at Police Station Moti Nagar, District Ludhiana and all consequential proceedings arising out of the same, on the basis of compromise dated 13.03.2023 (Annexure P-1) arrived at, between the parties.

2. Vide order dated 28.03.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 10.04.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Additional District and Sessions Judge, 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-petitioners is quashed.

4. The Trial Court has annexed copies of statements of the parties alongwith its report.

5. On a pointed query put to the learned State counsel qua the criminal antecedents of the petitioners, he on instructions from ASI Ajmer Singh, has informed the Court that they are not involved in any other case much less a case of similar nature.

6. In view of the report of the learned Additional District and Sessions Judge, 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.

28.08.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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