

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.16650 of 2022 (O&M)
Date of decision: 2nd May, 2023

Mandeep Ali @ Mandeep Singh @ Sanju & others
... Petitioners

Versus

State of Punjab & another
... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. C.S. Rana, Advocate for the petitioners.
Mr. Vinay K. Gupta, Asst. Advocate General, Punjab
for the respondent/State.
Mr. V.K. Pujara, Advocate for
Mr. Amandeep Singh, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioners are seeking quashing of FIR No.200 dated 08.08.2014 under Sections 323, 452, 427, 506, 148, 149 IPC registered at Police Station City Jagraon, District Ludhiana along with all consequential proceedings arising therefrom including judgment of conviction and order of sentence dated 01.09.2021 passed by learned Judicial Magistrate 1st Class, Jagraon on the basis of compromise dated 10.01.2022 (Annexure P-4).

Learned counsel for the petitioners submits that the parties have arrived at an amicable settlement vide Annexure P-4, subsequent to the conviction of the petitioners. In support of his submissions, he has placed reliance upon judgment of the Hon'ble Supreme Court in

Criminal Appeal No.1489 of 2012 titled as 'Ramgopal & another vs. State of Madhya Pradesh' decided on 29.09.2021 and another judgment of this Court in 'Sube Singh and another Vs. State of Haryana and another' : 2013(4) RCR (Criminal) 102.

Learned counsel appearing for respondent No.2 does not dispute the submissions made by counsel opposite and the factum of compromise having been indeed arrived at between the parties.

Vide order dated 02.03.2023 of this Court, the parties were directed to appear before the learned Chief Judicial Magistrate to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Chief Judicial Magistrate, 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 a statement to the effect that he would have no objection if the FIR *qua* the petitioners is quashed.

The learned Chief Judicial Magistrate, Ludhiana has annexed a copy of the statements of the parties, alongwith his report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned Chief Judicial Magistrate, Ludhiana and the principles laid down by the Apex Court in *Criminal Appeal No.1489 of 2012 titled as 'Ramgopal & another vs. State of Madhya Pradesh' decided on 29.09.2021* and this Court in *Sube Singh and another Vs. State of Haryana and another : 2013(4) RCR (Criminal) 102*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising therefrom including judgment of conviction and order of sentence dated 01.09.2021 passed by learned Judicial Magistrate 1st Class, Jagraon, 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

May 2, 2023
rps

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