

268

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

CRM-M-33476-2020

Date of Decision: 09.03.2023

Balkar Singh and othersPetitioners

Versus

State of Punjab and another Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present: Mr.Prince Sharma, Advocate
for the petitioners.

Mr. Sanish Girdhar, AAG, Punjab.

Mr. Supneet Singh, Advocate for
Mr. Varinder Kumar Sharma, Advocate
for the complainant/respondent No.2.

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MANJARI NEHRU KAUL, J. (Oral)

Instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.17 dated 26.01.2020 under Sections 336, 506, 148, 149 IPC and Sections 25, 27, 54, 59 of the Arms Act registered at Police Station Sadar Tarn Taran, District Tarn Taran along with all consequential proceedings arising therefrom on the basis of compromise dated 19.03.2020 (Annexure P2) effected between the parties.

Vide order dated 16.10.2020 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 09.11.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Addl. Chief

Judicial Magistrate, Tarn Taran, in pursuance of the direction 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 genuine, voluntary and without any coercion or undue influence and the complainant has also made statement to the effect that a compromise has been effected between him and the accused-petitioner.

The trial Court has annexed the statements of the parties in original, alongwith its 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 Addl. Chief Judicial Magistrate, Tarn Taran, 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 v. 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

09.03.2023

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Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No