

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

285

2023:PHHC:088722

CRM-M-20693-2023

Date of decision: July 17th, 2023

Baljinder Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Pradeep Singh, Advocate
for the petitioners.

Mr. Vinay Kumar Gupta, Assistant Advocate General, Punjab.

Mr. Supneet Singh, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.119 dated 08.11.2015 lodged under Sections 323, 324, 427 and 34 of the Indian Penal Code, 1860 at Police Station Tarn Taran along with all consequential proceedings arising out therefrom on the basis of compromise dated 17.03.2023 (Annexure P-2) arrived at, between the parties.

Vide order dated 26.04.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 25.05.2023 to get their statements recorded regarding the compromise arrived at between them.

Report has since been received from learned Judicial Magistrate 1st Class, Tarn Taran, 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 she would have no objection if the FIR *qua* the accused-petitioners is quashed.

The trial Court has annexed the statements of the parties in original, along with 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 Judicial Magistrate 1st Class, 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 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.

July 17th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No