

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

Sr. No.250

CRM-M-22939-2023

Date of Decision : July 03, 2023

Gurjeet Sharma @ Rohit Sharma and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Kumar Walia, Advocate, for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

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

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.147, dated 10.08.2019 (Annexure P-1) under Sections 341, 323, 34 of IPC registered at Police Station Dirba, District Sangrur and the consequential proceedings arising out of the same, on the basis of compromise/settlement dated 21.10.2022 (Annexure P-2) arrived at, between the parties.

Vide order dated 08.05.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 29.05.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate Ist Class, Sunam, 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, 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 Judicial Magistrate Ist Class, Sunam, 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 03, 2023

Ankur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No