

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

246

CRM-M-21945-2019 (O&M)

Date of decision: 23.01.2023

Gurajeet Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. PKS Phoolka, Advocate
for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab
for respondent No.1-State.

None for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.161 dated 12.09.2013 lodged under Sections 307, 324, 326, 325, 323, 506, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station Raman, District Bhatinda and the consequential proceedings arising out of the same, on the basis of compromise/affidavit dated 26.02.2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 09.12.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Sub Divisional Judicial Magistrate, Talwandi Sabo 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 without any pressure or coercion and out of their free will and the complainants have also made statement to the effect that they would have no objection if the FIR *qua* the accused-petitioners is quashed. It has also been stated in the report that petitioner No.3-Lakhvir Singh @ Lakhwinder Singh has died on 11.11.2019.

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 respondents No.2 and 3 are the only aggrieved person in the FIR in question.

In view of the report of the learned Sub Divisionsal Judicial Magistrate, Talwandi Sabo 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.

23rd January, 2023

Sapna

(MANJARI NEHRU KAUL)

JUDGE

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