

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

245

**CRM-M-28087-2021
Date of decision: 11.01.2023**

Major Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. G.S. Aulakh, Advocate
for the petitioners.

Mr. Sanish Girdhar, AAG, 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.0105 dated 21.06.2021 lodged under Sections 430, 379, 323, 427, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station Kotbhai, Tehsil Gidderbaha, District Sri Muktsar Sahib and the consequential proceedings arising out of the same, on the basis of compromise/affidavit (Annexure P-2) arrived at, between the parties.

Vide order dated 20.07.2021 of this Court, the parties were directed to appear before the learned Trial Court/Illaq Magistrate on 27.08.2021 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, First Class, Gidderbaha in pursuance to 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 complainant has also made a statement to the effect that he would have no objection if the FIR *qua* the accused-petitioners is quashed.

The Trial Court has annexed statement of respondent No.2 in original and copies of statements of the petitioners and respondent No.3 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 persons in the FIR in question.

In view of the report of the learned Judicial Magistrate, First Class, Gidderbaha 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 *Narinder Singh and others Vs. State of Punjab and another, 2014(2) RCR (Criminal) 482*, 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.

11.01.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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