

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

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2023:PHHC:104488

1. CRM-M-25596-2023
Date of decision: August 11th, 2023

Gurdavar Singh @ Veeru and another
.....Petitioners

Versus

State of Punjab and another
.....Respondents

2. CRM-M-25625-2023

Harjot Singh @ Jot and another
.....Petitioners

Versus

State of Punjab and another
.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Varun Goyal, Advocate
for the petitioners (in CRM-M-25596-2023).

Mr. Amandeep S. Meho, Advocate
for the petitioners (in CRM-M-25625-2023).

Mr. Subhash Godara, Additional Advocate General,
Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petitions is for quashing of FIR No.147 dated 03.12.2022 (Annexure P-1) under Sections 323, 452, 34 IPC as well as General Diary/Rapat No.028 dated 25.12.2022 under Sections 323, 342, 50, 34 IPC registered at Police Station Bhogpur, District Jalandhar Rural, along with all subsequent proceedings arising therefrom.

Vide order dated 19.05.2023 of this Court, the parties

were directed to appear before the learned trial Court/Illaq

Magistrate on 05.07.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate Ist Class, Jalandhar, 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 he would have no objection if the FIR *qua* the accused-petitioner 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/Rapat in question.

In view of the report of the learned Judicial Magistrate, Ist Class, Jalandhar 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 petitions are allowed. The aforesaid FIR as well as General Diary/Rapat and all consequential proceedings arising therefrom are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

Copy of this order be placed on the file of connected case.

August 11th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

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