

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

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2023:PHHC:131679

CRM-M-26643-2023

Date of decision: October 10th, 2023

Bohar Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: None for the petitioners.

Mr. Mohit Kapoor, Additional Advocate General, Punjab.

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of impugned DDR No.28 dated 01.01.2006 in FIR No.187 dated 31.12.2015 under Sections 324, 34 IPC registered at Police Station Baghapurana, District Moga, along with all subsequent proceedings arising therefrom on the basis of compromise dated 24.01.2023 (Annexure P-3) arrived at between the parties

2. Vide order dated 26.05.2023 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.

3. Report has since been received from learned Sub Divisional Judicial Magistrate, Baghapurana, 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 DDR *qua* the accused-petitioners is quashed.

4. The trial Court has annexed the statements of the parties in original, along with its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondent Nos.2 and 3 are the only aggrieved person in the DDR in question.

6. In view of the report of the learned Sub Divisional Judicial Magistrate, Baghapurana, 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 DDR and all consequential proceedings arising out of it, are quashed.

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

October 10th, 2023

Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No