

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

CRM-M No.26022 of 2023
Date of decision: 4th September, 2023

Jyoti & others

... Petitioners

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Randhir Singh, Advocate for
Ms. Simsi Dhir Malhotra, Advocate for the petitioners.
Mr. I.P.S. Sabharwal, Deputy Advocate General, Punjab
for the respondent/State.
Ms. Rekha Luhach, Advocate for
Ms. Ekta Thakur, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.89 dated 16.07.2020 under Sections 452, 323, 148, 149 IPC registered at Police Station, Mehtiana, District Hoshiarpur along with all consequential proceedings arising therefrom on the basis of compromise dated 01.05.2023 (Annexure P-2) effected between the parties.

2. Vide order dated 22.05.2023 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 Judicial Magistrate, 1st Class, Hoshiarpur, 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 complainant has also made statement to the effect that he would have no objection if the FIR qua the accused-petitioners is quashed. However, as per the report, one more FIR bearing No.89 dated 16.07.2020 under Sections 452, 323, 148, 149 IPC stands registered at Police Station Mehtiana against accused Kaushalaya Devi and Jyoti.

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

5. 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. Learned State counsel, on instructions from ASI Amarjit Singh, has further informed the Court that even in the other FIR which stands registered against petitioner Nos.1 and 2, the matter stands compromised as this Court has already directed recording of the statements of the parties pursuant to the compromise effected between them. He further submits that the matter is now slated to come up on 20.09.2023.

6. In view of the report of the learned Judicial Magistrate, 1st Class, Hoshiarpur and instructions received by the learned State counsel coupled with 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 v. 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 qua the petitioners, are quashed.

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

(MANJARI NEHRU KAUL)
JUDGE

September 4, 2023
rps

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