

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

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CRM-M-27219-2023 (O&M)

Date of decision: 16.12.2023

Akshay Sharma

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Birinder Pal, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G., Punjab.

Mr. R.B.S. Mann, Advocate, for
Mr. Gagan Bajaj, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J.

1. Instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.82 dated 26.04.2023 registered under Sections 347, 506 and 120-B of Indian Penal Code at Police Station City Sunam, District Sangrur, Punjab and all the subsequent proceedings arising therefrom on the basis of compromise dated 01.05.2023 (Annexure P-2) effected between the parties.

2. Vide order dated 29.05.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaqa 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, Sunam, 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.

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 petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Sub Divisional Judicial Magistrate, Sunam 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 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 petitioner, are quashed.

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

16.12.2023

Satyawan

(MANJARI NEHRU KAUL)
JUDGE