

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

**CRM-M-29706-2023
Date of decision: 20.11.2023**

DES RAJ AND OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Lovepreet Singh, Advocate
for teh petitioner.

Ms. Kanica Sachdeva, AAG, Punjab.

Mr. Amandeep Chhabra, Advocate
for respondent No. 2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of DDR No.40 dated 15.09.2022 under Sections 325, 323, 506 and 34 of the IPC (Section 325 of the IPC deleted later on) registered at Police Station Arniwala, District Fazilka in FIR No.74 dated 13.07.2022 under Sections 324, 323, 148 and 149 of the IPC (sections 324, 148 and 149 of the IPC deleted later on) registered at Police Station Arniwala, District Fazilka and all consequential proceedings arising therefrom on the basis of compromise dated 21.10.2022 (Annexure P-3) arrived at, between the parties.

2. Vide order dated 24.07.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 28.07.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Fazilka, 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 she 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 petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Judicial Magistrate Ist Class, Fazilka 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 FIR 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.

20.11.2023

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(MANJARI NEHRU KAUL)
JUDGE

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