

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

281

2023:PHHC:090621

CRM-M-29395-2023

Date of decision: July 19th, 2023

Karamjeet Kaur and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Jagpal Singh, Advocate
for the petitioners.

Mr. Vinay Kumar Gupta, Assistant Advocate General,
Punjab.

Mr. Rubal Pawar, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of G.D. No.33 dated 27.05.2022 (Annexure P-1), registered at Police Station Bhadson, District Patiala under Sections 323, 354, 447, 148, 149 (now deleted) and 34 (added later on) of IPC which arises from FIR No.47 dated 21.05.2022 under Sections 452 (now deleted) 323, 427, 506, 148 149 and 354-B (now deleted) of IPC registered at Police Station Bhadson District Patiala and the consequential proceedings arising out of the same on the basis of compromise dated 20.05.2023 (Annexure P-4) arrived at between the parties.

Vide order dated 06.06.2023 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 1st Class, Nabha, 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.

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

In view of the report of the learned Judicial Magistrate 1st Class, Nabha 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.

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

July 19th, 2023

Puneet

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No