

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

270

2023:PHHC:122421

CRM-M-29208-2023

Date of decision: September 18th, 2023

Vinod Kumar and others

.....Petitioners

Versus

The State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: None.

MANJARI NEHRU KAUL, J. (ORAL)

Since Lawyers of the Bar Association are abstaining from work, none has put in appearance on behalf of the parties.

The instant petition is for quashing of FIR No.05 dated 06.02.2023 under Sections 406, 120-B of the Indian Penal Code, 1860 registered at Police Station Khuhi Khera, District Fazilka, and the consequential proceedings arising out of the same, on the basis of compromise dated 12.05.2023 (Annexure P-2) arrived at, between the parties.

Vide order dated 02.06.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 17.07.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Chief Judicial Magistrate, 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.

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

In view of the report of the learned Chief Judicial Magistrate, 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.

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

September 18th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No