

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

1. CRM-M No.33086 of 2021

Satnam Singh & others

... Petitioners

Versus

State of Punjab & others

... Respondents

2. CRM-M No.33103 of 2021

Tarsem Singh & others

... Petitioners

Versus

State of Punjab & others

... Respondents

Date of decision: 11th December, 2023

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ramneek Singh, Advocate
for the petitioner in CRM-M No.33086 of 2021;
for respondents No.2 to 5 in CRM-M No.33103 of 2021;
Mr. Sandeep Kumar, Dy. Advocate General, Punjab with
ASI Manjit Singh for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. Both the instant petitions detailed hereinabove have been filed under Section 482 Cr.P.C. for quashing FIR No.15 dated 06.03.2017 under Sections 323, 324, 427, 148, 149 IPC registered at Police Station Talwandi Chaudharian, District Kapurthala as well as DDR No.3 dated 07.03.2017 under Sections 323, 324, 427, 148, 149 IPC (Section 201 IPC added later on), being a cross-case in the aforesaid FIR, along with all consequential proceedings arising therefrom on the basis of compromise dated 04.08.2021 effected between the parties.

2. Vide separate orders dated 16.12.2022 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, Sultanpur Lodhi, 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/DDR qua the accused-petitioners is quashed.

4. The trial Court has annexed a copy of the statements of the parties, alongwith its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and the private respondents are the only aggrieved persons in the FIR/DDR in question. Learned State counsel has also filed short reply by way of affidavit of Babandeep Singh PPS, DSP Sub Division Sultanpur Lodhi, District Kapurthala, which is taken on record subject to all just exceptions. Learned State counsel, on instructions from ASI Manjit Singh, has informed the Court that though compromise has been effected between all the accused and the complainant, however, three of the accused namely Sandeep Singh, Sunny and Manpreet Singh alias Mani are not in India and hence, they

were unable to appear before the trial Court to get their statements recorded with respect to the compromise effected. However, a perusal of the compromise deed reveals that they all are parties to the compromise.

6. In view of the report of the learned Judicial Magistrate, 1st Class, Sultanpur Lodhi 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**, being a case of version and cross-version, coupled with the fact that the learned counsel for the complainant does not oppose the quashing of the FIR in question, even against the aforementioned three accused, i.e. Sandeep Singh, Sunny and Manpreet Singh @ Mani, both the petitions are allowed. The aforesaid FIR/DDR 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

December 11, 2023

rps

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