

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.29566 of 2022
Date of decision: 6th November, 2023

Baljinder Singh @ Laddi

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. J.S. Santwal, Advocate for the petitioner.

Mr. Mohit Kapoor, Addl. Advocate General, Punjab
for the respondent/State.

Mr. Amit Thakur, Advocate for
Mr. Paramveer Singh, Advocate for respondent No.3.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.161 dated 29.09.2016 registered under Sections 323, 324, 326, 341, 506, 148 and 149 IPC at Police Station City Rupnagar, District Rupnagar along with all consequential proceedings arising therefrom including the judgment of conviction and order of sentenced dated 04.06.2019 on the basis of compromise dated 07.06.2022 (Annexure P-3) effected between the parties.

2. Learned counsel for the petitioner submits that the parties have arrived at an amicable settlement vide Annexure P-3, subsequent to the conviction of the petitioner. In support of his submissions, he has placed reliance upon judgment of the Hon'ble Supreme Court in *Criminal*

Appeal No.1489 of 2012 titled as 'Ramgopal & another vs. State of Madhya Pradesh' decided on 29.09.2021 and another judgment of this Court in '***Sube Singh and another Vs. State of Haryana and another***' : ***2013(4) RCR (Criminal) 102.***

3. Vide order dated 05.09.2023 of this Court, the parties were directed to appear before the learned lower Appellate Court to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Additional Sessions Judge, Rupnagar, 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-petitioner is quashed.

5. The Court below has annexed the statements of the parties in original, alongwith its report.

6. Learned State counsel too submits that there are no other accused other than the petitioner and respondent No.3 is the only aggrieved person in the FIR in question.

7. In view of the report of the learned Additional Sessions Judge, Rupnagar and the principles laid down by the Apex Court in ***Criminal Appeal No.1489 of 2012 titled as 'Ramgopal & another vs. State of Madhya Pradesh' decided on 29.09.2021*** and this Court in ***Sube***

Singh and another Vs. State of Haryana and another : 2013(4) RCR (Criminal) 102, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising therefrom including judgment of conviction and order of sentence dated 04.06.2019 passed by learned Principal Magistrate, Juvenile Justice Board, Rupnagar, are quashed.

8. 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

November 6, 2023

rps

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