

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

CRM-M No.35266 of 2021

Date of decision: 23rd February, 2023

Vikram Singh & others

... Petitioners

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Umaid S. Mann, Advocate for
Mr. Y.S. Dhaliwal, Advocate for the petitioners.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for respondent No.1/State.

Mr. Sultan S. Sandhu, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.83 dated 12.08.2020 (Annexure P-1) under Sections 307, 336, 323, 148, 149 IPC and Sections 25, 27-54-59 of the Arms Act, 1959 registered at Police Station Balongi, District SAS Nagar along with all consequential proceedings arising therefrom on the basis of compromise dated 20.08.2021 (Annexure P-2) effected between the parties.

Vide order dated 27.08.2021 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.

Report has since been received from learned Sub Divisional Judicial Magistrate, Kharar, 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 she would have no objection if the FIR qua the accused-petitioners is quashed.

The trial Court has annexed a copy of the statements of the parties, along with its report.

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.

On a pointed query put to the learned counsel for the petitioner, he has submitted that it was a case of no injury and even during investigation it had come to light that no firearm was used in the occurrence in question.

In view thereof together with the report of the learned Sub Divisional Judicial Magistrate, Kharar 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, 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.

(MANJARI NEHRU KAUL)
JUDGE

February 23, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No