

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

CRM-M No.36296 of 2021

Date of decision: 30th January, 2023

Ashwani Kumar & others

... Petitioners

Versus

State of Punjab & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. M.K. Bhatnagar, Advocate for the petitioners.

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

Mr. Sanjeev K. Bawa, Advocate for respondents No.2 to 5.

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 482 Cr.P.C. for quashing DDR No.30 dated 07.08.2021 under Sections 323, 324, 506, 148, 149 IPC registered as cross-case in FIR No.210 dated 03.08.2021 under Sections 452, 323, 324, 506, 148, 149 IPC (Section 325 IPC added later on) registered at Police Station Phillaur, District Jalandhar along with all consequential proceedings arising therefrom on the basis of compromise dated 21.08.2021 (Annexure P-3) effected between the parties.

Vide order dated 21.09.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 24.11.2022 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Sub Divisional

Judicial Magistrate, Phillaur, in pursuance to the direction of this Court,

wherein, the factum of the compromise arrived at between the parties in the version as well as cross-version case 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 DDR qua the accused-petitioners is quashed.

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

Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 to 5 are the aggrieved persons in the DDR in question.

In view of the report of the learned Sub Divisional Judicial Magistrate, Phillaur 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 DDR 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

January 30, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No