

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

247

CRM-M-31017-2023

Date of decision: 15.09.2023

Avtar Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Parvez Chugh, Advocate
for the petitioners.

Mr. Pankaj Khullar, AAG, Punjab
for respondent No.1-State.

None for respondents No.2 to 4.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.0117 dated 21.07.2018 under Sections 447, 379, 323, 148 and 149 of the IPC (charges framed under Sections 459, 453, 447, 379, 323, 201 and 34 of the IPC) registered at Police Station City Malout, District Sri Muktsar Sahib and all consequential proceedings arising out of the same, on the basis of compromise dated 10.06.2023 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 14.07.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 18.08.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Sub Divisional Judicial Magistrate, Malout, 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 complainants have also made statement to the effect that they would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed copies of statements of the parties alongwith its report.

5. Learned State counsel too submits that there are other 15/16 unknown persons are involved in the occurrence in question other than the petitioners and respondents No.2 to 4 are the only aggrieved persons in the FIR in question.

6. In view of the report of the learned Sub Divisional Judicial Magistrate, Malout 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 qua petitioners.

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

15.09.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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