

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

CRM-M-36446-2021
Decided on : 20.03.2023

Ankush Sharma and another Petitioners
Versus

State of Punjab & another Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : None for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab.

None for respondent No.2.

Manjari Nehru Kaul, J.(Oral)

The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.57 dated 06.09.2019 under Sections 323, 324, 341 and 34 IPC registered at Police Station Sadar (now P.S. Kanwan), District Pathankot and all the consequential proceedings arising out of the same, on the basis of compromise deed dated 26.08.2021 (Annexure P-2) arrived at, between the parties.

Vide order dated 03.09.2021 of this Court, the parties were directed to move an application before the learned trial Court/Illaq Magistrate for recording their statements regarding the compromise arrived at, between them.

Report dated 11.10.2021 has since been received from the learned JMIC, Pathankot in pursuance to the direction of this Court. 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. The trial Court has annexed the statements of the parties in original alongwith its report.

Learned State counsel also 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.

In view of the report of the learned JMIC, Pathankot 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.

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

20.03.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No