

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

CRM-M No.37407 of 2021

Date of decision: 17th February, 2023

Nirmal Singh & others

... Petitioners

Versus

State of Punjab & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Karanjeet S. Brar, Advocate for the petitioners.

Mr. Vinay K. Gupta, Asst. Advocate General, Punjab
for the respondents/State.

Mr. Rhythem Bajaj, Advocate for respondent Nos.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.321 dated 04.11.2018 (Annexure P-) under Sections 308, 341, 148, 149 IPC and Section 25 of the Arms Act, 1959 pertaining to Police Station Talwandi Sabo, District Bathinda along with all consequential proceedings arising therefrom on the basis of compromise dated 09.07.2021 (Annexure P-2) effected between the parties.

Vide order dated 10.10.2022 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 Judicial Magistrate, 1st Class, Talwandi Sabo, District Bathinda, 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 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 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 and 3 are the only aggrieved person in the FIR in question.

In view of the report of the learned Judicial Magistrate, 1st Class, Talwandi Sabo 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 17, 2023

rps

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