

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

250

CRM-M-35570-2022

Date of decision: 14.07.2023

Daljit Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sanjeev K. Virk, Advocate
for the petitioners.

Mr. Subhash Godara, Addl. A.G., Punjab
for respondent No.1-State.

Mr. Satnam Singh, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.32 dated 06.05.2019 lodged under Sections 323, 325, 341, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station Dhilwan, District Kapurthala and all consequential proceedings arising out of the same, on the basis of compromise/affidavit arrived at, between the parties.

2. Vide order dated 10.08.2022 of this Court, the parties were directed to appear before the learned Trial Court/Illaqa Magistrate on 31.08.2022 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Kapurthala, 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 he would have no objection if the FIR *qua* the accused-petitioners is quashed. It has also been mentioned in the report that 03 other persons namely Gurmeet Singh, Amandeep Singh and Balwinder Singh have also been arrayed as accused, who were declared proclaimed offenders.

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

5. Learned State counsel reiterates the contents of the above-said report and submits that respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Judicial Magistrate Ist Class, Kapurthala 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 the petitioners only.

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

14.07.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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