

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

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2023:PHHC:052020

CRM-M-37199-2022

Decided on : 13.04.2023.

Harwinder Singh & ors.

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Dushant Jog, Advocate
for Mr. T.V.S.Lehal, Advocate
for the petitioners.

Mr.Amit Rana, Sr.DAG, Punjab.

Mr. Hardik Ahluwalia, Advocate,
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.37 dated 16.05.2021, under Sections 452, 323, 379, 506, 148 and 149 IPC, registered at Police Station Dera Baba Nanak, Police District Batala (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise/affidavit dated 22.07.2022 (Annexure P-2) arrived at, between the parties.

Vide order dated 30.01.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 27.02.2023 to get their statements recorded regarding the compromise arrived at, between them.

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Report dated 16.03.2023 has since been received from the learned JMIC, Batala in pursuance of 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, Batala 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

13.04.2023
mamta

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No

