

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-36303-2023 (O&M)

Date of decision: 30.10.2023

Gurvinder Singh @ B.T.

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. B.S. Aulakh, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G., Punjab
for respondent No.1-State.

Mr. Tanvir Joshi, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.105 dated 08.06.2021 under Sections 341, 324, 323, 148, 149 of the IPC (Section 201 of the IPC added lateron) registered at Police Station Malout, District Sri Muktsar Sahib, and all consequential proceedings arising out of the same, on the basis of compromise (Annexure P-2) arrived at, between the parties.

2. Vide order dated 28.07.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 16.08.2023 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-petitioner is quashed.

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

5. Learned State counsel, on instructions, has not disputed that other than the presence of the petitioner being shown at the time of occurrence in question, no role much less any injury had been attributed to him.

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 the petitioner.

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

30.10.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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