

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

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2023:PHHC:117412

CRM-M-36566-2023

Date of decision: September 6th, 2023

Mandeep Singh @ Bunty

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Dhiraj Jindal, Advocate
for the petitioner.

Mr. Inderpal Singh Sabharwal, Deputy Advocate General,
Punjab.

Mr. Sarvjeet Singh Thakur, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner in the instant petition filed under Section 482 Cr.P.C. is seeking quashing of FIR No.40 dated 02.03.2023 (Annexure P-1) under Sections 308, 323, 294 IPC pertaining to Police Station Lehra, District Sangrur, along with all subsequent proceedings arising therefrom.

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.

Report has since been received from learned Judicial Magistrate Ist Class, Moonak, 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-petitioner is quashed.

The trial Court has annexed the statements of the parties in original, along with its report.

Learned State counsel too submits that there are no other accused other than the petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned Judicial Magistrate Ist Class, Moonak, 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.

September 6th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No