

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

247

CRM-M-41040-2022

Date of decision: 18.04.2023

Gaurav Kumar and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Amrinder Vir Singh Barsat, Advocate
for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab
for respondent No.1-State.

Mr. Anoop Singla, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.1 dated 01.01.2016 under Sections 419, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 registered at Police Station Tripuri Town, Patiala, District Patiala, and the consequential proceedings arising out of the same, on the basis of compromise dated 24.08.2022 (Annexure P-2) arrived at, between the parties.

Vide order dated 08.09.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 09.09.2022 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Chief Judicial Magistrate, Patiala, 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.

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

Learned State counsel too 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 Chief Judicial Magistrate, Patiala 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.

18.04.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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