

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

CRM-M-41350-2023

Date of Decision: 07.12.2023

INDERJIT SINGH

...Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ankur Bansal, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

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

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 217 dated 10.07.2023 under Sections 420, 467, 468, 471 & 205 IPC registered at Police Station Dera Bassi, District SAS Nagar, Punjab, and consequential proceedings arising out of the same, on the basis of compromise dated 03.08.2023 (Annexure P-3) arrived at, between the parties.

2. Vide order dated 16.10.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 06.11.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Sub Divisional Judicial Magistrate, Dera Bassi, in pursuance of the directions of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. Draft of Rs. 1,00,000/- has been handed over to learned counsel for the complainant in Court today in accordance with the terms and conditions effected between the parties, copy of which has been retained. 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.

4. The trial Court has annexed the photocopies of the statements of the parties, along with its report.

5. 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.

6. In view of the report of the learned Sub Divisional Judicial Magistrate, Dera Bassi, 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.

7. 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)

07.12.2023

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