

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

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**CRM-M-43663-2022
Date of decision: 09.02.2023**

Baghel Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Veneet Sharma, Advocate
for the petitioner.

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

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.70 dated 06.07.2012 lodged under Sections 341, 325, 323, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station Kamboj, Amritsar Rural, District Amritsar and the consequential proceedings arising out of the same including the order dated 09.08.2016 on the basis of compromise dated 21.10.2020 (Annexure P-4) arrived at, between the parties.

Vide order dated 21.09.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 17.11.2022 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, Ist Class, Amritsar, 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, alongwith its report.

Learned State counsel submits that there are total five accused in the FIR in question, however, the remaining accused have already been discharged vide order dated 01.04.2021. 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, Amritsar 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 including the order dated 09.08.2016, are quashed.

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

09.02.2023

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(MANJARI NEHRU KAUL)
JUDGE

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