

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

CRM-M-42387-2023

Date of decision: 07.10.2023

Amritpal Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : None for the petitioners.

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

None for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.56 dated 20.07.2021 under Sections 323, 324, 355, 506, 427,34 of the Indian Penal Code, 1860 registered at Police Station Ghaineke Bangar, District Batala and all consequential proceedings arising out of the same, on the basis of compromise dated 13.12.2021 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 28.08.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 04.09.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Batala, 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-petitioners is quashed.

4. The Trial Court has annexed the statements of the parties in original, alongwith its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 and 3 are the only aggrieved persons in the FIR in question.

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

07.10.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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