

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

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2023:PHHC:088738

CRM-M-48969-2021 (O&M)

Date of decision: July 17th, 2023

Rutaksha Bansal @ Rupaksha Bansal

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gautam Goayl, Advocate
for Mr. Vivek Gupta, Advocate
for the petitioner.

Mr. Vinay Kumar Gupta, Assistant Advocate General, Punjab.

Mr. Amit Gupta, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.0329 dated 14.12.2018 lodged under Sections 323, 341 and 506 of the Indian Penal Code, 1860 and Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015 at Police Station Civil Lines Patiala along with all consequential proceedings arising out therefrom on the basis of compromise dated 13.11.2021 (Annexure P-3) arrived at, between the parties.

Vide order dated 24.04.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 22.05.2023 to get their statements recorded regarding the compromise arrived at between them.

Report has since been received from learned Judicial

Magistrate 1st Class, 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 she would have no objection if the FIR *qua* the accused-petitioners is quashed.

The trial Court has annexed the copies of statements of the parties along with 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 Judicial Magistrate 1st Class, 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.

July 17th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No