

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

CRM-M-44254-2023

Date of Decision: 07.12.2023

RAMESH KUMAR

...Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

2. CRM-M-45005-2023 (O&M)

Kewal Katoch and another

...Petitioners

Vs.

State of Punjab and another

...Respondents

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

Present: Mr. Dhawaljeet Dutta, Advocate
for the petitioner in CRM-M-44254-2023 &
for respondent No.2 in CRM-M-45005-2023.

Mr. Mohit Kapoor, Addl. AG, Punjab.

Mr. Abhishek K. Kathpal, Advocate
for the petitioners in CRM-M-45005-2023 &
for respondent No.2 in CRM-M-44254-2023

MANJARI NEHRU KAUL, J. (Oral)

The instant petitions are for quashing of FIR No. 64 dated 27.03.2020 under Section 336 IPC and DDR No. 23 dated 27.03.2020 under Sections 186, 289, 427 and 506 IPC registered at Police Station Civil Lines Batala, District Gurdaspur consequential proceedings arising out of the same, on the basis of compromise dated 19.08.2023 (Annexure P-2) 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 Judicial Magistrate 1st 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 complainant has also made statement to the effect that he would have no objection if the FIR/DDR *qua* the accused-petitioner(s) is quashed.

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

5. Learned State counsel too submits that it is a version and cross-version case and there are no other accused other than the petitioner(s) and respondent No.2 is the only aggrieved person in the FIR/DDR in question.

6. In view of the report of the learned Judicial Magistrate 1st 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/DDR 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