

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

CRM-M No.44462 of 2023
Date of decision: 6th November, 2023

Santokh Ram @ Santokh Raj @ Sokha & another

... Petitioners

Versus

State of Punjab & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kapil Khanna, Advocate for the petitioners.

Mr. Mohit Kapoor, Addl. Advocate General, Punjab
for the respondent/State.

Mr. Amit Thakur, Advocate for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.176 dated 31.12.2022 under Sections 406, 420, 370 of the IPC registered at Police Station Goraya, District Jalandhar along with all consequential proceedings arising therefrom on the basis of compromise dated 25.08.2023 (Annexure P-2) effected between the parties.

2. Vide order dated 05.09.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate, 1st Class, Phillaur, in pursuance of the direction 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-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, 1st Class, Phillaur 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 v. 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 qua the petitioners, 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

November 6, 2023
rps

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