

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

261

CRM-M-45038-2023

Date of decision: 09.11.2023

Sukhjit Kaur Atwal and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. R.S. Athwal, Advocate
for the petitioners.

Mr. Digvijay Nagpal, AAG, Punjab.

Mr. G.B.S. Dhillon, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.0146 dated 25.10.2021 under Sections 406, 420 and 120-B of the IPC registered at Police Station Nurpur Bedi, District Rupnagar and all consequential proceedings arising out of the same, on the basis of compromise dated 09.08.2023 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 11.09.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 11.10.2023 to get their statements recorded regarding the compromise arrived at, between them.

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

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

5. In view of the report of the learned Judicial Magistrate Ist Class, Sri Anandpur Sahib 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 qua petitioners.

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

09.11.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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