

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

**CRM-M-49426-2022 (O&M) and
CRM-M-49434-2022 (O&M)
Date of Decision: 10.03.2023**

(i) DUSHYANT SHARMA AND ORS PETITIONERS
VS
STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

(ii) RANDHAWA JATINDER SINGH @ JATINDER SINGH & ANR PETITIONERS
VS
STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Manpinder Kaur, Advocate for
Mr. Mohit Sadana, Advocate
for the petitioners in CRM-M-49426-2022 and
for respondent No.2 in CRM-M-49434-2022.

Mr. Sanish Girdhar, AAG, Punjab.

Mr. Neeraj Yadav, Advocate for respondent No.2 in
CRM-M-49426-2022 and
for the petitioners in CRM-M-49434-2022.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petitions have been filed under Section 482 Cr.P.C.
for quashing of FIR No.134 dated 06.06.2021 (Annexure P-1) under
Sections 323, 336, 427, 148, 149 IPC and Sections 25, 27 of Arms Act 1959
and cross version DDR No.7 dated 08.06.2021 registered at Police Station
Cantonment, District Amritsar along with all consequential proceedings

arising therefrom on the basis of compromise dated 20.09.2022 (Annexure P-2) effected between the parties.

Vide order dated 27.10.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 23.11.2022 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate Ist Class, Amritsar, 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/DDR qua the accused-petitioners is quashed.

The trial Court has annexed a copy of the statements of the parties, alongwith its report.

Learned State counsel on instructions submits that earlier on 07.06.2021, DDR No.21 was registered as being cross case version of FIR No.134/2021. However, on 08.06.2021, DDR No.7 was also registered as cross case version of FIR No.134/2021 and after checking the record, it was found that the contents of DDR No.21 had been reproduced in DDR No.7, therefore, DDR No. 7 dated 08.06.2021 and DDR No. 21 dated 07.06.2021 are one and the same.

Learned State counsel too submits that there are no other accused other than the petitioners and respondent in the present FIR and the cross version DDR.

CRM-M-49426-2022 (O&M) and
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In view of the report of the learned Judicial Magistrate Ist Class, Amritsar 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 cross version DDR 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.

(MANJARI NEHRU KAUL)
JUDGE

10.03.2023
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>