

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

300

2023:PHHC:145567

CRM-M-46030-2023

Date of decision: November 16th, 2023

Amardeep Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Neeraj Kumar, Advocate
for Mr. Prateek Pandit, Advocate
for the petitioner.

Ms. Kanica Sachdeva, Assistant Advocate General,
Punjab.

Mr. Barjinder Singh, Advocate
for respondents No.2 to 4.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No.22 dated 28.01.2021 under Section 295 of the IPC registered at Police Station City, District Kapurthala, along with all consequential proceedings arising therefrom on the basis of compromise.

2. Vide order dated 14.09.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 16.10.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Chief Judicial Magistrate, Kapurthala, 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 private respondents have also made statement to the effect that they would have no objection if the FIR *qua* the accused-petitioner is quashed.

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

5. Learned State counsel too submits that there are no other accused other than the petitioner and privates respondents are the only aggrieved persons in the FIR in question.

6. In view of the report of the learned Chief Judicial Magistrate, Kapurthala, 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.

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

November 16th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No