

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

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2023:PHHC:141873

CRM-40110-2023 in/and

CRM-M-52688-2021

Date of decision: November 7th, 2023

Baljit Kaur and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vikram Singh Chauhan, Advocate
for the petitioners.

Mr. Mohit Kapoor, Additional Advocate General, Punjab,
for respondent No.1-State.

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-40110-2023

Prayer in this application is for preponement of the hearing of
the main case.

For the reasons stated in the application, the same are
allowed.

Hearing of the main case is preponed to today.

CRM-M-52688-2021

Prayer in the instant petition is for quashing of FIR No.386
dated 17.09.2021 under Sections 420, 467, 468, 471, 120-B of the IPC
registered at Police Station Division No.5, Ludhiana, along with all
consequential proceedings arising therefrom on the basis of compromise
dated 09.12.2021 (Annexure P-2).

2. Vide order dated 24.01.2022 of this Court, the parties were
directed to appear before the learned trial Court/Illaq Magistrate on
24.02.2022 to get their statements recorded regarding the compromise

arrived at, between them.

3. Report has since been received from learned Additional Chief Judicial Magistrate, Ludhiana, 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 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 petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Additional Chief Judicial Magistrate, Ludhiana, 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 7th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No