

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

263-2

CRM-M-51183-2022

Date of decision: 12.10.2023

Gurbachan Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Manjot Singh Gujral, Advocate
for the petitioners.

Mr. Mohit Kapoor, Addl. A.G., Punjab.

Mr. Somil Chowdhary, Advocate for
Mr. Manpreet Singh, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.101 dated 02.10.2013 under Sections 324, 323, 341, 34 of the IPC registered at Police Station Sadar Kapurthala, District Kapurthala and all consequential proceedings arising out of the same, on the basis of compromise dated 16.08.2022 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 23.11.2022 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 Additional 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 complainants has also made statements to the effect that they would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed copies of statements of the parties alongwith its report.

5. In view of the report of the learned Additional 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 qua petitioners.

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

12.10.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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