

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

327

2023:PHHC:160702

CRM-M-51571-2023

Date of decision: December 14th, 2023

Dilbag Singh @ Bagga and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. B.D. Sharma, Advocate
for the petitioners.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

Mr. Vishal Sharma, Advocate
for Mr. Lalit Chander Sharma, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No.24 dated 10.02.2021 under Sections 452/323/506/148/149 of the IPC registered at Police Station Raja Sansi, District Amritsar Rural, along with all consequential proceedings arising therefrom on the basis of compromise dated 29.08.2023 (Annexure P-3).

Vide order dated 08.11.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 14.11.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Sub Divisional Judicial Magistrate, Ajnala, 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.

The trial Court has annexed the statements of the parties in original, along with its report.

Learned State counsel too submits that there are no other accused other than the petitioners and the complainant is the only aggrieved person in the FIR in question.

In view of the report of the learned Sub Divisional Judicial Magistrate, Ajnala, 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.

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

December 14th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No