

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

CRM-M-53085-2023
Decided on : 18.12.2023

Ashwani Sharma Petitioner

Versus

State of Punjab & others Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ajay K. Rana, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. AG, Punjab.

Mr. Kapil K. Rana, Advocate for
Mr. Vishwajeet, Advocate
for respondents No.2 and 3.

Manjari Nehru Kaul, J.

1. The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.201 dated 29.06.2023 under Sections 279, 337, 427 IPC registered at Police Station Derabassi, District SAS Nagar and all the subsequent proceedings arising out of the same, on the basis of compromise dated 03.10.2023 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 18.10.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 17.11.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report dated 16.12.2023 has since been received from the learned SDJM, Derabassi in pursuance of the direction of this Court. 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. The trial Court has annexed the photocopies of the statements of the parties alongwith its report.

4. Learned State counsel also submits that there are no other accused other than the petitioner and respondents No.2 and 3 are the only aggrieved persons in the FIR in question.

5. In view of the report of the learned SDJM, Derabassi 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 the petitioner.

6. 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

18.12.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No