

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

CRM-M-57650-2022
Decided on : 13.07.2023

Kunal Kumar @ Kunal Sahota

..... Petitioner

Versus

State of Punjab & another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Ramandeep Kaur, Advocate for
Mr. Varinder Basa, Advocate
for the petitioner.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Manjari Nehru Kaul, J.

1. The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.221 dated 18.07.2018 under Sections 323, 324, 341, 148 and 149 IPC registered at Police Station Sultanpur Lodhi, District Kapurthala and all the subsequent proceedings arising out of the same, on the basis of compromise dated 29.11.2022 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 12.12.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate within a period of three weeks to get their statements recorded regarding the compromise arrived at, between them.

3. Report dated 03.01.2023 has since been received from the learned SDJM, Sultanpur Lodhi in pursuance of the direction of this Court. As per the report, there are seven persons namely Kunal Sahota, Kartik, Naveen @ Naveen Sahota, Sunny Sarharwal @ Honny Kumar, Kashish @ Kashish Hans,

Sukhwinder Singh @ Gazzi and Arun Kumar arrayed as accused in the FIR in question. Out of these seven accused, accused Kartik, Naveen @ Naveen Sahota, Sunny Sarharwal @ Honny Kumar, Kashish @ Kashish Hans and Arun Kumar have already filed quashing petition bearing No.11672 of 2022, which was quashed qua them vide order dated 25.04.2022. According to 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 has reiterated the facts as mentioned in the report and submitted that there are seven persons named as accused in the FIR in question and respondent No.2 is the only aggrieved person in the FIR in question and the matter has been compromised between the parties.

5. In view of the report of the learned SDJM, Sultanpur Lodhi 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.

13.07.2023
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No