

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

246

CRM-M-49974-2019

Date of decision: 25.05.2023

Iqbal Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ajeet Pal Singh Pakka, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab
for respondent No.1-State.

Mr. Amar Jeet, Advocate for
Mr. Deshpreet Singh, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.66 dated 03.08.2018 registered under Section 307 IPC and Section 25, 27 of Arms Act at Police Station Kotfatta, District Bathinda (later on Section 307 IPC and Section 25 of Arms Act were deleted and Section 336 IPC was added vide DDR No.14 dated 31.03.2019) and the consequential proceedings arising out of the same, on the basis of compromise/affidavit dated 22.02.2019 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 20.03.2023 of this Court, the parties were directed to appear before the learned Trial Court/Illaq Magistrate on 25.04.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial

Magistrate Ist Class, Talwandi Sabo, District Bathinda, 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-petitioner is quashed.

4. The Trial Court has annexed the statements of the parties in original, alongwith its report.

5. Learned State counsel submits that two more persons, namely Sandeep Singh and Gurwinder Singh, were arrayed as accused in the FIR, however, they were found innocent and challan has been presented only against the petitioner and that respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Judicial Magistrate Ist Class, Talwandi Sabo, District Bathinda 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.

25.05.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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