

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

CRM-M-57925-2022
Decided on : 13.07.2023

Gurmej Singh and others

..... Petitioners

Versus

State of Punjab & others

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : None for the petitioners.

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 GDD/DDR No.22 dated 11.04.2019 under Sections 148, 149, 323, 307, 427, 506 IPC and Section 25/27/54/59 Arms Act registered at Police Station Ajnala, District Amritsar Rural in FIR No.197 dated 19.09.2018 under Sections 148, 149, 323, 307, 427 and 506 IPC and 25/27 Arms Act at Police Station Ajnala, District Amritsar Rural and all the subsequent proceedings arising out of the same, on the basis of compromise (Annexure P-3) arrived at, between the parties.

2. Vide order dated 13.12.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate within a period of one month to get their statements recorded regarding the compromise arrived at, between them.

3. Report dated 13.01.2023 has since been received from the learned SDJM, Ajnala in pursuance of the direction of this Court. According to the report, one of the accused namely Pargat Singh s/o Bachan Singh has expired during the pendency of proceedings. It has also been mentioned in the report that 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 fact that one of the accused Pargat Singh s/o Bachan Singh has expired. Learned State counsel further submits that there are now only 17 accused i.e. petitioners left after the death of accused Pargat Singh 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, 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 qua the petitioners.

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