

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

CRM-M No.59778 of 2022
Date of decision: 17th January, 2023

Nirbhay Kumar

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Sanish Girdhar, Assistant Advocate General, Punjab
for the respondent/State.

Mr. Devansh Khanna, Advocate for respondents No.2 & 3.

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.17 dated 16.01.2021 (Annexure P-1) under Sections 323, 452, 506 IPC registered at Police Station Focal Point, Police Commissionerate Ludhiana along with all consequential proceedings arising therefrom on the basis of compromise dated 15.12.2022 (Annexure P-2) effected between the parties.

Vide order dated 21.12.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 04.01.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, 1st Class, Ludhiana, in pursuance to the direction 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 she would have no objection if the FIR qua the accused-petitioner is quashed.

The trial Court has annexed the copy of statements of the parties, alongwith its report.

Learned State counsel too 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.

In view of the report of the learned Judicial Magistrate, 1st Class, Ludhiana 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 v. 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.

(MANJARI NEHRU KAUL)
JUDGE

January 17, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No