

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

CRM-M No.54537 of 2019

Date of decision: 31st January, 2023

Ajay Masih & others

... Petitioners

Versus

State of Punjab & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ritesh Pandey, Advocate for the petitioners.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent No.1/State.

None for respondents No.2 to 4.

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.3 dated 15.01.2019 (Annexure P-1) under Sections 324, 323, 326, 148, 149 IPC registered at Police Station Killa Lal Singh, District Batala along with all consequential proceedings arising therefrom on the basis of compromise dated 23.02.2019 (Annexure P-2) effected between the parties.

Vide order dated 19.12.2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 24.01.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate 1st Class, Batala, in pursuance of 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-petitioners is quashed.

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

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

In view of the report of the learned Judicial Magistrate 1st Class, Batala 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 31, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No