

2024:PHHC:031635

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-5759-2021 (O&M)
Date of Decision:-5.3.2024

Harnek Singh and others ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurdeepinder Singh Dhillon, Advocate for the petitioners.

Mr. Vishavjeet Singh Virk, DAG, Punjab.

Mr. Jatin Bansal Kotshamir, Advocate for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners seek quashing of FIR No.0079, dated 14.8.2020 registered at Police Station Mullanpur, District SAS Nagar (Mohali), under Sections 328 and 34 of Indian Penal Code and all subsequent proceedings emanating therefrom on the basis of a compromise stated to have been effected between the parties.
2. Vide order dated 9.2.2021, the parties had been directed to appear before the Illaqa Magistrate/Trial Court so as to get their statements recorded qua the factum of compromise.
3. Report of learned Judicial Magistrate 1st Class, Kharar has been received, wherein it has been reported that statements of petitioners/accused Harnek

Singh, Charanjit Kaur, Kuljit Kaur and also of respondent No.2 namely Rani Devi have been recorded to the effect that they have compromised the matter amongst themselves.

4. Respondent No.2 namely Rani Devi in her statement has stated that she has no objection in case the FIR in question is quashed.
5. Learned Judicial Magistrate 1st Class, Kharar has specifically opined that the parties have entered into compromise voluntarily and without any undue influence.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.0079, dated 14.8.2020 registered at Police Station Mullanpur, District SAS Nagar (Mohali), under Sections 328 and 34 of Indian Penal Code and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

5.3.2024
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(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No