

CRM-M-3371-2024

2024:PHHC:040050

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-3371-2024
Date of decision: 20.03.2024

GIAN CHAND AND ORS

.....PETITIONERS

Versus

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Simranjeet Singh Sarwara, Advocate
for the petitioners.

Mr. Iqbal Singh, AAG, Punjab.

Mr. Kulwinder Singh, Advocate
for complainant-respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.193, dated 13.11.2018, lodged under Sections 323, 342, 365, 506, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station Lalru, District SAS Nagar and all consequential proceedings arising out of the same, on the basis of compromise affidavit (Annexure P-2) arrived at, between the parties.
2. Vide order dated 23.01.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 22.02.2024 to get their statements recorded regarding the compromise arrived at, between them.
3. Report has since been received from learned Judicial Magistrate Ist Class, Dera Bassi, 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 she would have no objection if the FIR *qua* the accused-petitioners is quashed.

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

5. Learned State counsel too submits that there is no other accused other than the petitioners; and 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, Dera Bassi 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 petitioners.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

20.03.2024

Aman Dua

(MANJARI NEHRU KAUL)
JUDGE

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