

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.5063 of 2024
Date of decision: 4th April, 2024

Budh Singh

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sunpreet Singh, Advocate for the petitioner.

Mr. Iqbalpreet Singh, Asst. Advocate General, Punjab
for the respondent/State.

Mr. Abhishek Dua, Advocate for
Mr. Vivek Dahiya, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.55 dated 21.02.2020 under Section 381 (Section 411 added later on) of the IPC registered at Police Station Moti Nagar, District Police Commissionerate Ludhiana, along with all consequential proceedings arising therefrom on the basis of compromise dated 23.01.2023 (Annexure P-2).

2. Vide order dated 07.02.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

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

4. The trial Court has annexed a copy of the statements of the parties, along with its report.

5. Learned State counsel too submits that there are no other accused other than the petitioner 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, 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 qua the petitioner, are quashed.

7. 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

April 4, 2024
rps

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