

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

297

CRM-M-8182-2024

Date of decision: 18.04.2024

Daljit Singh Brar and othersPetitioners

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Nitin Rampal, Advocate
for the petitioners.

Mr. Iqbalpreet Singh, AAG, Punjab.

Mr. Prateek Pandit, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.15 dated 02.03.2023 under Sections 379/120-B of the IPC (Section 201 of the IPC added lateron) registered at Police Station Smalsar, District Moga and all consequential proceedings arising out of the same, on the basis of compromise dated 03.02.2024 (Annexure P-2) arrived at, between the parties.

2. Reply by way of affidavit of Dalbir Singh, PPS, Deputy Superintendent of Police, Sub Division Baghapurana, District Moga, on behalf of respondent No.1-State has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. Vide order dated 16.02.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 18.03.2024 to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Judicial Magistrate Ist Class, Baghapurana, 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 complainants have also made statement to the effect that they would have no objection if the FIR *qua* the accused-petitioners is quashed.

5. The Trial Court has annexed copies of statements of the parties alongwith its report.

6. Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 and 3 are the only aggrieved persons in the FIR in question.

7. In view of the report of the learned Judicial Magistrate Ist Class, Baghapurana 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.

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

18.04.2024

Vinay

(MANJARI NEHRU KAUL)

JUDGE

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