

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

299

CRM-M-8705-2024

Date of decision: 22.04.2024

Avtar Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Veneet Sharma, Advocate
for the petitioners.

Mr. Navdeep Singh, DAG, Punjab.

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.97 dated 14.12.2017 under Sections 494, 420, 120B of the Indian Penal Code, 1860 registered at Police Station Tarsika, District Amritsar Rural and all consequential proceedings arising out of the same, on the basis of compromise dated 11.01.2024 (Annexure P-2) arrived at, between the parties.

2. Short reply by way of affidavit of Ravinder Singh, PPS, Deputy Superintendent of Police, Sub-division Jandiala, Amritsar (Rural), 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 21.02.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 21.03.2024 to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Sub Divisional Judicial Magistrate, Baba Bakala Sahib, 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.

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

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

7. In view of the report of the learned Sub Divisional Judicial Magistrate, Baba Bakala Sahib 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.

22.04.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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