



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

307

CRM-M-9734-2024

Date of decision: 20.05.2024

Rajinder Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Surinder Garg, Advocate
for the petitioners.

Mr. Shiva Khurmi, AAG, Punjab.

Mr. Lovish Arora, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.86 dated 13.08.2014 under Sections 457/380/411/34 of the IPC registered at Police Station Bajakhana, District Faridkot and all consequential proceedings arising out of the same, on the basis of compromise dated 09.12.2023 (Annexure P-3) arrived at, between the parties.

2. Vide order dated 26.02.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 22.03.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has been received from the learned Judicial Magistrate Ist Class, Faridkot, as per which the parties have indeed arrived at an amicable settlement. As per the report received, petitioner



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No.1-Rajinder Singh is involved in some other criminal cases, however, it has been asserted by the learned counsel appearing for the petitioners that he already stands acquitted in almost all the other criminal cases which stand registered against him.

4. On a pointed query put to the learned counsel for the petitioners as to how the instant petition could be quashed on the basis of a compromise effected between the parties since admittedly petitioner No.1 has been having repeated brush with law, he submits that the parties in the present case were closely related and it was on account of some misunderstanding that the complainant had lodged the FIR in question alleging that certain articles had been stolen by the petitioners.

5. Learned counsel appearing for respondent No.2-complainant has not disputed the averments made by the counsel opposite. He also does not oppose the prayer for quashing of the FIR in question on the basis of compromise.

6. The Trial Court has annexed the statements of the parties in original, alongwith its report.

7. 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.

8. In view of the report of the learned Judicial Magistrate Ist Class, Faridkot 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.

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

20.05.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned

Whether reportable

:

Yes/No

:

Yes/No