



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

297

CRM-M-12014-2024

Date of decision: May 9th, 2024

Sahil Gill and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Prikshit Thakur, Advocate
for Mr. Rahul Bhargava, Advocate
for the petitioners.

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

Mr. Keshav Chadha, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No.230 dated 05.11.2023 under Sections 379-B, 34 of the IPC registered at Police Station Ranjit Avenue, District Police Commissionerate Amritsar, as well as GD No.40 dated 06.11.2023 whereby Sections 379-B(2), 201 and 411 of the IPC were added later on, along with all consequential proceedings arising therefrom on the basis of compromise dated 23.01.2024 (Annexure P-3).

2. Vide order dated 11.03.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 10.04.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned the learned

trial Court 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 he would have no objection if the FIR *qua* the accused-petitioners is quashed. It has also been reported that one of the accused namely Babbal is absconding and has not yet been arrested.

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

5. Learned State counsel submits that respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned trial Court 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 only qua the petitioners.

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

May 9th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No