

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

284

1.

CRM-M-12624-2024
Date of decision: 03.07.2024

Jamil Khan and othersPetitioners

Versus

State of Punjab and othersRespondents

2.

CRM-M-12607-2024
Date of decision: 03.07.2024

Arshad Khan and othersPetitioners

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Naveen Kumar, Advocate
for the petitioners in CRM-M-12624-2024 and
for the private respondents in CRM-M-12607-2024.

Mr. Shiva Khurmi, AAG, Punjab.

Mr. Imran Farooqi, Advocate (through VC)
for the petitioners in CRM-M-12607-2024 and
for the private respondents in CRM-M-12624-2024.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners in both the petitions filed under Section 482 of the Cr.P.C. are seeking quashing of Criminal Complaint bearing No.COMI-89-2015 titled as 'Nasir Khan Vs. Shaukat Ali' under Sections 326, 307, 324, 323, 148, 149 of the IPC pending in the Court of learned JMIC, Malerkotla as well as cross case bearing DDR No.26 dated 25.11.2014 under Sections 326, 325, 323, 427, 34, 148, 149 of the IPC registered at Police Station Amargarh, District Sangrur in FIR



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No.160 dated 25.11.2014 under Sections 324, 323, 148, 149 of the IPC registered at Police Station Amargah, District Sangrur, and all consequential proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

2. Vide order dated 03.04.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 03.05.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Malerkotla, 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 statements to the effect that they would have no objection if the Complaint/DDR *qua* the accused-petitioners is quashed.

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

5. Learned State counsel too submits that there are no other accused other than the petitioners and the private respondents are the only aggrieved persons in the Complaint/DDR in question.

6. In view of the report of the learned Judicial Magistrate Ist Class, Malerkotla and the principles laid down by the Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***, and

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also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, both the petitions are allowed. The aforesaid Complaint and DDR and all consequential proceedings arising out of them, are quashed qua petitioners.

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

03.07.2024

(MANJARI NEHRU KAUL)

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JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No