

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-17436-2023

Date of decision: 08.04.2024

BHUPINDER PAL SINGH SAHNI

.....Petitioner

Versus

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sunil Chadha, Sr. Advocate with
Mr. Tara Dutt, Advocate,
Mr. Raghav Chadha, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

Mr. Bhupinder Ghai, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.80, dated 03.06.2021, lodged under Sections 148, 149, 150, 427, 447, 506 and 120B of the Indian Penal Code, 1860 registered at Police Station Barara, District Ambala and all consequential proceedings arising out of the same, on the basis of compromise affidavit (Annexure P-2) arrived at, between the parties.
2. Vide order dated 17.04.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 15.05.2023 to get their statements recorded regarding the compromise arrived at, between them.
3. Report has since been received from learned Judicial Magistrate Ist Class, Ambala, 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-petitioner is quashed.

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

5. Status report by way of an affidavit dated 05.02.2024 of Deputy Superintendent of Police, Barara, District Ambala has been filed in Court today, which is taken on record. The copy of the same has also been supplied to the learned counsel for the petitioner.

6. On a pointed query put to the learned State counsel, he has not disputed that the petitioner has clean antecedents and is not involved in any other criminal case. He has also not disputed that the FIR has already been quashed by this Court against the co-accused vide order dated 14.02.2023, who too were not involved in any other criminal case.

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

08.04.2024

Aman Dua

(MANJARI NEHRU KAUL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>