



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

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CRM-M-17533-2024

Date of decision: 08.05.2024

Sarabjit Singh alias Sabha

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ankit Gupta, Advocate
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

Mr. Arjun Veer Sharma, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.175 dated 19.07.2023 under Sections 379-B of the IPC (Sections 28, 54, 59 of the Arms Act and Sections 379, 411, 489 of the IPC added lateron) registered at Police Station Maqboolpura, District Amritsar and all consequential proceedings arising out of the same, on the basis of compromise dated 20.03.2024 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 09.04.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial

Magistrate Ist Class, Amritsar, in pursuance of the directions of this



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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. Learned State counsel too submits that there is no other accused other than the petitioner and respondents No.2 and 3 are the only aggrieved persons in the FIR in question.

6. In view of the report of the learned Judicial Magistrate Ist Class, Amritsar 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.

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

08.05.2024 (MANJARI NEHRU KAUL)
Vinay JUDGE

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