



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

312

CRM-M-19429-2024
Date of decision: July 22nd, 2024

Jagtar Singh
.....Petitioner

Versus

State of Punjab and another
.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Ramandeep Kaur, Advocate
for Mr. Varinder Basa, Advocate
for the petitioners.

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

Mr. R.K. Kashyap, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No.51 dated 01.04.2024 under Sections 279, 337, 338, 427 of the IPC registered at Police Station Civil Lines, District Amritsar, along with all consequential proceedings arising therefrom on the basis of compromise dated 06.04.2024 (Annexure P-2).

2. Vide order dated 22.04.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 21.05.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from 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-petitioner is quashed.

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

5. 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.

6. In view of the report of the learned trial Court and the principles laid down by Hon'ble 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.

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

July 22nd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No