



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

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**CRM-M No.20862 of 2024
Date of decision: 17.12.2024**

Ram Surat and another

....Petitioners

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ruhani Chadha, Advocate,
for the petitioners.

Mr. Shiva Kurmi, AAG, Punjab
for respondent No.1-State.

Mr. Prikshit Thakur, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.81 dated 10.10.2023 under Sections 308 and 34 IPC, 1860 registered at Police Station Sadar Phagwara, District Kapurthala, and all consequential proceedings arising out of the same, on the basis of compromise dated 26.02.2024 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 01.08.2024 of Co-ordinate Bench of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 14.10.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Phagwara, in pursuance of the directions of this Court, wherein, the factum of the compromise arrived at between the parties



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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 statements of the parties, alongwith its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners 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, Phagwara 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 qua petitioners.

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

December 17, 2024
poonam

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No