



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

294

CRM-M-21435-2024

Date of decision: July 31st, 2024

Pawan alias Sanju and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Satnam Singh, Advocate
for the petitioners.

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

Mr. Anshul Sharma, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioners in the instant petition filed under Section 482 Cr.P.C. are seeking quashing of FIR No.55 dated 15.03.2024 (Annexure P-1) under Sections 323, 324, 148, 149 of the IPC registered at Police Station City Phagwara, District Kapurthala, along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2) arrived at, between the parties.

2. Vide order dated 01.05.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 30.05.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from 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-petitioners 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 31st, 2024

Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No