



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

285

CRM-M-27514-2024

Date of decision: September 10th, 2024

Avinash Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rakesh Kumar Kachura, Advocate
for the petitioners.

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

Mr. Kulwinder Singh, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No.106 dated 15.06.2023 under Sections 324, 323, 427, 148, 149 (Sections 326, 325 added later on) of the IPC registered at Police Station Guruharsahai, District Ferozepur, along with all consequential proceedings arising therefrom on the basis of compromise dated 15.04.2024 (Annexure P-2).

2. Vide order dated 10.07.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 09.08.2024 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.

September 10th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No