



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

260

CRM-M-28886-2024
Date of decision: August 23rd, 2024

Surinder Singh
.....Petitioner

Versus

State of Punjab and another
.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Harchand Singh Batth, Advocate
for the petitioner.

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

Mr. Gaurav Kalsi, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No.5 dated 26.01.2023 under Sections 336 of the IPC, Section 27 of Arms Act, 1959 and Section 11 of Prevention of Cruelty to Animals Act, 1960, registered at Police Station Rawalpindi, District Kapurthala, along with all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. Vide order dated 31.05.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 15.07.2024 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-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 petitioner 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.

August 23rd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No