



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

283**CRM-M-32189-2024****Date of decision: 09.09.2024****SURJIT KUMAR & ORS**

....Petitioners

V/s

STATE OF PUNJAB AND OTHERS

....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Parminder Singh Kanwar, Advocate, for the petitioners.

Mr.Amit Rana, Sr.DAG, Punjab.

Mr. Amit Arora, Advocate for respondents No.2 to 4.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition filed under Section 482 Cr.P.C. for quashing of FIR No.159 dated 10.09.2021 under Sections 323, 341, 342, 148 and 149 of the Indian Penal Code, 1860 (Final report is filed under Sections 323, 325, 341, 342, 201 and 34 of IPC), registered at Police Station Haryana, District Hoshiarpur, and all consequential proceedings arising out of the same, on the basis of compromise dated 30.04.2024 (Annexure P-3) arrived at, between the parties.

2. Vide order dated 09.07.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 08.08.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate, Ist Class, Hoshiarpur, 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 she would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed the statements in original 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 to 4 are the only aggrieved person in the FIR in question.

6. In view of the report of the learned Judicial Magistrate, Ist Class, Hoshiarpur 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.

(MANJARI NEHRU KAUL)
JUDGE

September 09, 2024

poonam

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No