

2024:PHHC:113438



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

306

CRM-M-29479-2023

Date of decision: 02.09.2024

Surjit Singh @ Sonu and others

.....Petitioners

VERSUS

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present Mr.Munish Puri, Advocate,
for the petitioners.

Mr.Shiva Khurmi, AAG, Punjab.

Ms. Deepti Rampal, Advocate,
for respondent no.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.101 dated 28.06.2017, under Sections 323, 324 and 452 of the Indian Penal Code registered at Police Station Division No. 2 District Pathankot, and all consequential proceedings arising out of the same, on the basis of compromise dated 22.05.2023 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 03.07.2023 of the Co-ordinate Bench of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 02.08.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Pathankot in pursuance of the directions of the 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 of the parties, in original, alongwith 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 Judicial Magistrate Ist Class, Pathankot and the principles laid down by the Hon'ble 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, 02 2024

poonam

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No