



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-39652-2024
Date of decision: September 18th, 2024

Rashpal Singh and others
.....Petitioners

Versus

State of Punjab and another
.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sachin Gupta, Advocate
for the petitioners.

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

Mr. Nav Chahal, Advocate
for Mr. Sachin Ohri, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of complaint No.106 of 2019 under Sections 326, 324, 323, 506 and 34 of the IPC in FIR No.37 dated 29.05.2019 under Sections 323, 324, 326 and 34 of the IPC registered at Police Station Bhaini Mian Khan, District Gurdaspur, on the basis of compromise dated 07.05.2024 (Annexure P-2).

2. Vide order dated 20.08.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 22.08.2024 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



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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 complaint *qua* the accused-petitioners is quashed.

4. The trial Court has annexed the statements of the parties in original, 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 complaint 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 complaint and all consequential proceedings arising out of it, are quashed qua only the petitioners.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

September 18th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No