

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-38627-2021 (O&M)
Date of Decision:- 15.02.2024

Kashmira Lal @ Kashmir Lal and another ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vipin Mahajan, Advocate, for the petitioners.

Mr. Sartaj Singh Gill, Sr. DAG, Punjab.

Ms. Gaganbir Kaur Dhillon, Advocate,
for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners-Kashmira Lal @ Kashmir Lal and Paramjit Singh have approached this Court seeking quashing of FIR No.44, dated 25.08.2021, Police Station Kotli Surat Mallian, Police District Batala, District Gurdaspur, under Sections 452, 324, 323, 34 IPC, and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 25.05.2022, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.
3. Report of learned Judicial Magistrate 1st Class, Batala, has been received, wherein it has been reported that the statements of

petitioners/accused Kashmira Lal @ Kashmir Lal, Paramjit Singh and complainant Surti Lal have been recorded to the effect that they have compromised the matter amongst themselves.

4. The complainant Surti Lal in his statement had stated that he has no objection in case the FIR in question is quashed.
5. The learned Judicial Magistrate 1st Class, Batala, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.44, dated 25.08.2021, Police Station Kotli Surat Mallian, Polie District Batala, District Gurdaspur, under Sections 452, 324, 323, 34 IPC and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioners.

15.02.2024

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No