



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

241 (PROCEEDINGS THROUGH HYBRID MODE)

CRM-M-38619-2022
Date of decision: September 20th, 2024

Yogesh Kumar @ Yogesh Kumar Sidhu and others
.....Petitioners

Versus

State of Punjab and others
.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vaibhav Sharma, Advocate
for the petitioners (through V.C.).

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

Mr. Shubham Gupta, Advocate
for respondent Nos.2 to 4.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.79 dated 16.07.2022 under Sections 379-B, 411, 149 of the Indian Penal Code, 1860 registered at Police Station Chabbewal, District Hoshiarpur, and the consequential proceedings arising out of the same, on the basis of compromise dated 05.08.2022 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 31.08.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate 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



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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-petitioners 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 petitioners and private respondents are 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.

September 20th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No