

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

308

2024:PHHC:004658

CRM-M-36797-2023

Date of decision: January 15, 2024

GURJINDER SINGH @ BUNTY AND ANOTHER

.....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: None for the petitioners.

Mr. A.P.S. Tung, Deputy Advocate General, Punjab.

None for the complainant/respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of the cross case registered vide FIR No.50 dated 13.03.2023 under Sections 379-B Part-II, 323 of the Indian Penal Code, 1860 (Annexure P-1) registered at Police Station Sadar Khanna, District Ludhiana, along with all consequential proceedings arising therefrom on the basis of the compromise/affidavit dated 05.07.2023 (Annexure P-2) effected between the parties.

2. Vide order dated 31.07.2023 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 Additional District and Sessions Judge, Ludhiana, in pursuance of the direction 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 he would have no objection if the FIR *qua* the accused-petitioners, is quashed.

4. The trial Court has annexed photocopies of the statements of the parties, alongwith its report.

5. Learned State counsel 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, though petitioner Lakhwinder Singh is involved in another case of similar nature.

6. In view of the report of the learned Additional District and Sessions Judge, Ludhiana, and the principles laid down by 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 *qua* the petitioners, are quashed.

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

January 15, 2024
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No