



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

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CRM-M-37065-2023

Date of decision: 09.12.2024

Pargat Singh and another

....Petitioners

V/s

State of Punjab and another

....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr.Jashanjot S. Uppal, Advocate, for the petitioners.

Mr.Shiva Khurmi, AAG, Punjab.

Mr.Vinod Kumar, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.136 dated 18.11.2012 under Sections 420, 406 and 120-B of the Indian Penal Code registered at Police Station City Malerkotla, District Sangrur, (Now District Malerkotla) and all consequential proceedings arising out of the same, on the basis of compromise dated 27.06.2023 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 01.08.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 01.09.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Sub Divisional Judicial Magistrate, Malerkotla, in pursuance of the directions 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 she would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed the statements (in original) of the parties, alongwith its report.

5. Learned State counsel, does not dispute that one of the accused, namely, Manavdeep Singh has since been discharged by the trial Court. He, further 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 Sub Divisional Judicial Magistrate, Malerkota 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 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

December 09, 2024

poonam

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No