2024:PHHC:143088

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

290 **CRM-M-37125-2024**
Date of decision: 04.11.2024

PAWANPREET SINGH

....Petitioner

V/s

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amandeep Sharma, Advocate, for the petitioner.

Mr. Rubal Pawar, AAG, Punjab.

Mr.Shivdeep, Advocate for complainant-respondent No.2.

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MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.08 dated 13.01.2024 under Sections 323, 324, 506 of the Indian Penal Code and Section 27 of the Arms Act, 1959 registered at Police Station Ajnala, District Amritsar, and all consequential proceedings arising out of the same, on the basis of compromise dated 26.07.2024 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 02.08.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 04.09.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Sub Divisional Judicial Magistrate, Ajnala, 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

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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 of the parties (in original), alongwith 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 FIR in question.

6. In view of the report of the learned Sub Divisional Judicial Magistrate, Ajnala 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

November 04, 2024
poonam

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

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