



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

CRM-M No.38749 of 2024
Date of decision: 14th October, 2024

Vicky & others

... Petitioners

Versus

State of Punjab & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: None for the petitioners.

Mr. Shiva Khurmi, Asst. Advocate General, Punjab
for the respondent/State.

None for the private respondents.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.0013 dated 13.02.2024 (Annexure P-1) under Sections 452, 323, 506, 427, 148, 149 of the IPC pertaining to Police Station Jodhewal, Police Commissionerate Ludhiana along with all consequential proceedings arising therefrom on the basis of compromise dated 26.07.2024 (Annexure P-2) effected between the parties.

2. Vide order dated 12.08.2024 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 Judicial Magistrate, 1st Class, 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 the statements of the parties in original, along with its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 to 4 are the only aggrieved persons in the FIR in question.

6. In view of the report of the learned Judicial Magistrate, 1st Class, Ludhiana 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 v. 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 Court below.

(MANJARI NEHRU KAUL)
JUDGE

October 14, 2024

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No