

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

CRM-M-42382-2023

Date of decision: 08.04.2024

SUKHWINDER SINGH @ SUKHA AND OTHERS

.....PETITIONERS

Versus

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Aayushi Jindal, Advocate
Mr. Umesh Aggarwal, Advocate
for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab
for respondent No.1-State.

Ms. Nandini Sharma, Advocate
Mr. Prateel Sodhi, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.236, dated 09.12.2019, lodged under Sections 341, 356, 323, 148, 149 of the Indian Penal Code, 1860 registered at Police Station Sadar, District Ferozpur and all consequential proceedings arising out of the same, on the basis of compromise affidavit (Annexure P-1) arrived at, between the parties.

2. Vide order dated 25.08.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 06.09.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Additional Chief Judicial Magistrate, Ferozpur, 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 he would has 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 respondents No.2 are the only aggrieved persons in the FIR in question.

6 . In view of the report of the learned Additional Chief Judicial Magistrate, Ferozpur 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, 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.

08.04.2024

Aman Dua

(MANJARI NEHRU KAUL)
JUDGE

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