

2024:PHHC:147872



2024:PHHC:147882



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

302

Date of decision: 12.11.2024

CRM-M-45884-2023

AMARDEEP SINGH @ AMARDEEP SINGH JASSAR

....Petitioner

V/s

STATE OF PUNJAB AND OTHERS

....Respondents

CRM-M-46137-2023

SHIVAM KUMAR AND OTHERS

....Petitioners

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gurvinder Singh Aulakh, Advocate
for the petitioner in CRM-M-45884-2023 &
for respondent No.2 in CRM-M-46137-2023.

Mr.Neeraj Jain, Advocate for the petitioner
in CRM-M-46137-2023 and
for respondent Nos.2 and 3 in CRM-M-45884-2023.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition (CRM No.45884-2023) is for quashing of
FIR No.0129 dated 05.12.2018 under Section 307 of the Indian Penal Code
and Sections 27/54/59 of the Arms Act, registered at Police Station
Kotbhai, District Sri Muktsar Sahib, and in CRM-M-46137 of 2023 prayer



is for quashing of DDR No.038 dated 07.12.2018 under Sections 323 and 34 of the IPC registered at Police Station Kotbhai, District Sri Muktsar

Sahib, along with all consequential proceedings arising out of the same, on the basis of compromise (Annexure P-2) arrived at, between the parties.

2. It is a case of version and cross-version in which both the sides have received injuries. Vide order dated 12.09.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 04.10.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate, Ist Class, Gidderbaha 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 copy of statements of the parties, alongwith its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondents are the only aggrieved person in the FIR/DDR in question.

6. In view of the report of the learned Judicial Magistrate, Ist Class, Gidderbaha 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/DDR 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.
8. A photocopy of this order be placed on the file of another connected case.

(MANJARI NEHRU KAUL)
JUDGE

November 12, 2024
poonam

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