



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

350

CRM-M-43719-2024

Date of decision: 25.11.2024

Surjit Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Navjot Kaur, Advocate, for
Mr. Avtar Singh Khinda, Advocate
for the petitioners.

Mr. Navdeep Singh, DAG, Punjab
for respondent No.1-State.

Ms. Abhilasha Kainth, Advocate for
Mr. Abhishek Thakur, Advocate,
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.33, dated 17.03.2024, registered under Sections 420 of the Indian Penal Code, 1860 and Section 24 of the Immigration Act, registered at Police Station Division No.2, District Pathankot and all consequential proceedings arising out of the same, on the basis of compromise dated 28.08.2024 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 05.09.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaqa 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, Pathankot, 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 attested copy of the statements of the parties.

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 Judicial Magistrate Ist Class, Pathankot 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.

25.11.2024
anil

(MANJARI NEHRU KAUL)
JUDGE

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