

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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1. CRM-M-47123-2023
Date of decision: 08.01.2024

Ram Nath and othersPetitioners

Versus

State of Punjab and anotherRespondents

2. CRM-M-46750-2023
Date of decision: 08.01.2024

Satish Kumar and othersPetitioners

Versus

State of Punjab and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : None for the petitioners in both cases.

Mr. A.P.S. Tung, DAG, Punjab
for respondent No.1-State.

None for respondent No.2 in both cases.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petitions are for quashing of FIR No.0115 dated 02.08.2022 under Sections 323, 324, 506, 148, 149 of the IPC registered at Police Station Subhanpur, District Kapurthala and for quashing of DDR No.05 dated 03.08.2022 under Sections 323, 325, 341, 148, 149 of the IPC registered at Police Station Subhanpur, District Kapurthala along with all consequential proceedings arising out of the same, on the basis of compromise dated 31.07.2023 arrived at, between the parties.

2. Vide order dated 05.10.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on

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04.11.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Kapurthala, 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 complainants have also made statement to the effect that they would have no objection if the FIR and DDR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed copies of statements of the parties alongwith its report.

5. In view of the report of the learned Judicial Magistrate Ist Class, Kapurthala 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 petitions are allowed. The aforesaid FIR and DDR and all consequential proceedings arising out of it, are quashed qua petitioners.

6. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

08.01.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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