

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

338

2024:PHHC:003363

CRM-M-47546-2023

Date of decision: January 11th, 2024

Surjit Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: None for the petitioners.

Mr. A.P.S. Tung, Deputy Advocate General, Punjab.

None for respondents No.2 to 5.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.105 dated 28.05.2023 under Sections 323, 324 and 34 (Section 326 of the IPC added later on) of the Indian Penal Code, 1860 registered at Police Station Dharamkot, District Moga, on the basis of compromise (Annexure P-2) arrived at, between the parties.

2. Vide order dated 20.09.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 28.09.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Moga, 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 private respondents have also made statement to the effect that they 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 private respondents are the only aggrieved persons in the FIR in question.

6. In view of the report of the learned Judicial Magistrate Ist Class, Moga, 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.

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

January 11th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No