



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-45675-2024
Date of decision: November 13th, 2024

Kuber Sharma
.....Petitioner

Versus

State of Punjab and another
.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Meena, Advocate
for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

Mr. Jagjeet Singh, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No.90 dated 19.07.2024 under Sections 305(a), 331(4) of the BNS registered at Police Station Sirhali, District Tarn Taran, along with all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. Mr. Jagjeet Singh, Advocate, has entered appearance on behalf of respondent No.2 and filed his power of attorney, which is taken on record.
3. Vide order dated 13.09.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 14.10.204 to get their statements recorded regarding the compromise arrived at, between them.



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3. Report has since been received from learned Judicial Magistrate Ist Class, Tarn Taran, 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 have no objection if the FIR *qua* the accused-petitioner is quashed.
4. The trial Court has annexed the copies of the statements of the parties, along with its report.
5. Learned State counsel too submits that there are no other accused other than the petitioner 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, Tarn Taran, 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.
7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

November 13th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No