

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

287 (2 cases)

1. CRM-M-48117-2023
Date of decision: 05.03.2024

Narinder KaurPetitioner
Versus
State of Punjab and anotherRespondents

2. CRM-M-51586-2023

Kulwant SinghPetitioner
Versus
The State of Punjab and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Aayushi Jindal, Advocate for
Mr. Umesh Aggarwal, Advocate
for the petitioner in CRM-M-48117-2023.

Mr. A.S. Sohal, Advocate
for the petitioner in CRM-M-51586-2023.

Mr. Amit Rana, Sr. DAG, Punjab.

Ms. Nandini Sharma, Advocate for
Mr. Prateek Sodhi, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petitions are for quashing of FIR No.72 dated 30.06.2023 under Sections 323, 506, 148 and 149 of the IPC and Sections 3 and 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015) registered at Police Station Sultanwind, District Police Commissionerate Amritsar and all consequential proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

2. Vide orders dated 22.09.2023 and 12.10.2023 of a Coordinate Bench of this Court, the parties were directed to appear

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before the learned trial Court/Illaqa Magistrate/Duty Magistrate to get their statements recorded regarding the compromise arrived at, between them.

3. Reports have since been received from learned Judicial Magistrate Ist Class, Amritsar/Additional District & Sessions Judge, Amritsar, 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 reports, 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-petitioners is quashed.

4. In view of the reports of the learned Judicial Magistrate Ist Class, Amritsar/Additional District & Sessions Judge, Amritsar 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 qua petitioners.

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

05.03.2024

Vinay

(MANJARI NEHRU KAUL)

JUDGE

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