

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

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2024:PHHC:008676

CRM-M-51675-2023

Date of decision: January 23rd, 2024

Harman Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rajiv Kumar Saini, Advocate
for the petitioners.

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

None for respondent Nos.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioners are seeking quashing of FIR No.47 dated 31.07.2023 under Sections 328, 324, 34 of the IPC registered at Police Station Kotli Surat Mallian, District Batala, Gurdaspur, along with all consequential proceedings arising therefrom on the basis of compromise dated 08.09.2023 (Annexure P-2).

2. Vide order dated 13.10.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 16.11.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Batala, 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-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, Batala, 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 23rd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No