

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

306

2024:PHHC:005428

CRM-M-49478-2023

Date of decision: January 16, 2024

GURDEV SINGH AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. H.S. Sidhu, Advocate
for the petitioners.

Mr. A.P.S. Tung, Deputy Advocate General, Punjab
with ASI Jasbir Singh.

Mr. A.S. Khosa, Advocate
for the complainant/respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.203 dated 31.12.2018 under Sections 307, 506, 148, 149 of the Indian Penal Code, 1860 and Sections 25, 27 of the Arms Act (Sections 427, 201 added later on and Section 25 of the Arms Act deleted later on) (Annexure P-1) registered at Police Station Goindwal Sahib, District Tarn Taran, along with all consequential proceedings arising therefrom on the basis of the compromise deed dated 29.03.2023 (Annexure P-2) effected between the parties.

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

3. Report has since been received from learned Additional Sessions Judge, Tarn Taran, in pursuance of the direction 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, alongwith its report.

5. Learned State counsel, on instructions, submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Additional Sessions Judge, Tarn Taran, 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 *qua* the petitioners, are quashed.

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

January 16, 2024
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

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