

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

295

1. CRM-M-53975-2023
Date of decision: 22.04.2024

Mehmood Ahmed @ Mahmood Ahmod and othersPetitioners

Versus

State of Punjab and anotherRespondents

2. CRM-M-65381-2023
Date of decision: 22.04.2024

Rashid Iqbal and othersPetitioners

Versus

State of Punjab and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Mahipal S. Yadav, Advocate
for the petitioners in CRM-M-53975-2023 and
for respondent No.2 in CRM-M-65381-2023.

Mr. Saqib Ali Khan, Advocate
for the petitioners in CRM-M-65381-2023 and
for respondent No.2 in CRM-M-53975-2023.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No. 26 dated 19.02.2020 under Sections 323, 324, 341, 34 of the IPC (offence under Section 326, 201 IPC, 1860 added lateron and offence under Section 323 IPC, 1860 deleted lateron) and DDR No.43 dated 17.02.2021 under Sections 325, 323, 506, 34 of the IPC in the above said FIR, registered at Police Station City I, Malerkotla, District Malerkotla and all consequential proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

2. Vide order dated 21.02.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 21.03.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Reports have since been received from learned Judicial Magistrate Ist Class, Malerkotla, 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 complainants have also made statements to the effect that they would have no objection if the FIR/DDR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed the statements of the parties in original, alongwith its report.

5. In view of the reports of the learned Judicial Magistrate Ist Class, Malerkotla 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***, both the petitions are allowed. The aforesaid FIR and DDR along with all consequential proceedings arising out of it, are quashed qua petitioners.

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

22.04.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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