

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

316

2024:PHHC:004640

CRM-M-57358-2023

Date of decision: January 15, 2024

ONKAR SINGH @ BAGGA SINGH AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Mandhir Singh Virk, Advocate
for the petitioners.

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

Mr. Harvinder Singh Tohra, 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.209 dated 29.12.2021 under Sections 341, 323, 148, 149 of the Indian Penal Code, 1860 (Section 325 IPC added later on) registered at Police Station Sardulgarh, District Mansa, along with all consequential proceedings arising therefrom on the basis of the compromise dated 29.09.2023 (Annexure P-2) effected between the parties.

2. Vide order dated 15.11.2023 of 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 Judicial Magistrate Ist Class, Sardulgarh, 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 too 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 Judicial Magistrate Ist Class, Sardulgarh, 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 15, 2024
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

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