

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.60868 of 2023

Date of decision: 6th February, 2024

Ram Kishore @ Kishori Lal & others

... Petitioners

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Shadab Ahmad, Advocate for the petitioners.

Mr. APS Tung, Dy. Advocate General, Punjab
for the respondent/State.

Mr. Ravinder Singh, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.103 dated 15.06.2023 under Sections 341, 323, 506, 148 & 149 of the IPC (Section 201 IPC added later on) registered at Police Station Phase 1, District SAS Nagar, Punjab along with all consequential proceedings arising therefrom on the basis of compromise dated 29.11.2023 (Annexure P-2) effected between the parties.

2. Vide order dated 04.12.2023 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, 1st Class, SAS Nagar (Mohali), 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 a copy of the statements of the parties, 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, 1st Class, SAS Nagar (Mohali) 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 v. 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 Court below.

(MANJARI NEHRU KAUL)
JUDGE

February 6, 2024
rps

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