

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2024:PHHC:171311



CRM-M No.57358 of 2024 (O&M)

Date of Decision: 19.12.2024

Manish Sharma alias Munish Sharma and another

.....Petitioners

-

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present : Mr. MK Dhot, Advocate, for the petitioners.

Mr. HS Deol, Sr. Deputy Advocate General, Punjab.

Mr. Inder Pal Singh, Advocate, for respondent No.2.

SHEEL NAGU, CHIEF JUSTICE (Oral)

The petitioners, who are accused in FIR No. 167 dated 15.10.2024 under Sections 126(2), 110, 115(2), 351(2), 3(5) of the Bharatiya Nyaya Sanhita-2023 registered at Police Station Lehra, District Sangrur, seek quashment of FIR alongwith other peripheral offences arising therefrom, on the ground that petitioners and complainant have entered into a compromise and do not wish to continue with the investigation/prosecution.

2. Vide order dated 18.11.2024 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. A report dated 28.11.2024 has since been received from Judicial Magistrate Ist Class, Moonak, District Sangrur 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 affected between the parties and the same is genuine, voluntary and without any coercion or undue influence 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, alongwith its report.
5. In view of the report of the Judicial Magistrate Ist Class, Moonak, District Sangrur and the principles laid down by Hon’ble 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 qua the petitioners is allowed. The aforesaid FIR and all consequential proceedings arising out of it are quashed qua both the petitioners.
6. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(SHEEL NAGU)
CHIEF JUSTICE

19.12.2024

ravinder

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