

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

311

2024:PHHC:021480

CRM-M-62932-2023

Date of decision: February 15th, 2024

Rachapal Singh alias Rinku and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ritesh Pandey, Advocate
for the petitioners.

Mr. Amandeep Singh Samra, Assistant Advocate General,
Punjab.

Mr. Aazam Khan, Advocate
for respondent Nos.2 to 4.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No.104 dated 03.10.2021 under Sections 326, 324, 323, 34 of the IPC registered at Police Station Qilla Lal Singh, District Batala along with all consequential proceedings arising therefrom on the basis of compromise dated 31.07.2023 (Annexure P-2).

2. Vide order dated 14.12.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 15.01.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Batala, 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 effected between the parties and the same is without

any pressure or coercion and out of their free will and the private respondents have also made statement to the effect that they 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, along with its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and private respondents are the only aggrieved persons in the FIR in question.

6. In view of the report of the learned Judicial Magistrate Ist Class, Batala, 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, are quashed.

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

February 15th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No