



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

266

CRM-M-2471-2025

Date of decision: March 12th, 2025

Bharat Bhushan Sharma and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jashan Singh Brar, Advocate
for the petitioners.

Mr. Baljinder Singh, DAG, Punjab.

Mr. Sagar Bathle, Advocate
for Ms. Dilmrig Nayani, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.250 dated 13.11.2021 under Sections 295, 379, 427 read with Section 34 of the Indian Penal Code, 1860 and Section 3 of Public Property (Prevention of Damages Act, 1985) registered at Police Station Division-A Amritsar, District Police Commissionerate Amritsar and the consequential proceedings arising out of the same, on the basis of compromise dated 16.12.2024 (Annexure P-3) arrived at, between the parties.

2. Vide order dated 17.01.2025 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 17.02.2025 to get their statements recorded regarding the compromise

arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Amritsar 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 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, along with 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, Amritsar 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 is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

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

March 12th, 2025

(MANJARI NEHRU KAUL)

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JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No