

320.

2025:PHHC:041397



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

CRM-M-3730-2025

Date of decision: 26.03.2025

Kuldip Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sunil Agnihotri, Advocate, for the petitioner.

Mr. Navdeep Singh, DAG, Punjab, for respondent No.1.

Mr. Vishal Munjal, Advocate, for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in the instant petition is for quashing of FIR No.23, dated 23.02.1997, under Sections 364, 325 of IPC (subsequently challan was presented under Sections 323, 324, 364, 34 IPC and charges were framed under Sections 323, 324, 326, 364, 34 of IPC), registered at Police Station Tanda, District Hoshiarpur (Annexure P-1) and all consequential proceedings arising out of the same, on the basis of compromise dated 19.11.2024 (Annexure P-6) arrived at, between the parties.

2. Vide order dated 24.01.2025 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 25.02.2025 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate First Class, Dasuya, 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-petitioner 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 petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of learned trial Court and the principles laid down by Hon'ble the Apex Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, and also by the Full Bench of this Court in ***Kulwinder Singh and others Versus 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 qua petitioner.

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

March 26, 2025

sanjeev

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No