

2025-PHHC-011907



323.

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

CRM-M-52036-2024

Date of decision: 27.01.2025

Kabal Singh alias Kali Burger and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rahi Mehra, Advocate, for the petitioners.

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

Mr. Vishva Bahl, Advocate, for respondents No.2 & 3.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in the instant petition is for quashing of General Diary No.23, dated 06.01.2023 (Annexure P-1) in FIR No.0197, dated 08.12.2022, under Sections 323, 324, 506, 148, 149 of IPC (Sections 148, 149 IPC deleted lateron and Section 34 IPC added lateron), registered at Police Station Kamboj, District Amritsar Rural (Annexure P-2) and all consequential proceedings arising out of the same, on the basis of compromise dated 12.06.2024 (Annexure P-3) arrived at, between the parties.

2. Vide order dated 21.10.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 20.11.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, 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 she would have no objection if the General Diary in FIR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed the copies of statements of the parties, alongwith its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 and 3 are the only aggrieved persons in the General Diary 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 General Diary and all consequential proceedings arising out of it,
are quashed qua petitioners.

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

January 27, 2025
sanjeev

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