

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

2025.PHHC.001382



275-2

CRM-M-53037-2024

Date of decision: 08/01/2025

Rakesh Kumar @ Buntu Setia and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sudhanshu Khanna, Advocate
for the petitioners.

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

Mr. Rhuthem Bajaj, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of Rapat/G.D No.19 dated 15.10.2019 lodged under Sections 307, 323, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station City-I Abohar, District Fazilka in FIR No.222 dated 13.10.2019 lodged under Sections 307, 427, 341 and 34 IPC and Section 25 & 27 of Arms Act, 1959 registered at Police Station City-I, Abohar District Fazilka and all consequential proceedings arising out of the same, on the basis of compromise dated 07.11.2019 (Annexure P3) arrived at, between the parties.

2. Vide order dated 23.10.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 26.11.2024 to get their statements recorded regarding the compromise



arrived at, between them.

3. Report has since been received from learned Sub Divisional Judicial Magistrate, Abohar, 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/injured 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 photocopies of the 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 person in the FIR in question.

6. In view of the report of the learned Sub Divisional Judicial Magistrate, Abohar 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 Rapat/G.D No.19 dated 15.10.2019 lodged under Sections 307, 323, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station City-I Abohar, District Fazilka in FIR No.222 dated 13.10.2019 lodged under Sections 307, 427, 341 and 34 IPC and Section 25 & 27 of Arms Act, 1959 registered at Police Station City-I, Abohar District Fazilka and all



consequential proceedings arising out of the same are here by quashed, on the basis of compromise dated 07.11.2019 (Annexure P3) arrived at, between the parties.

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

08.01.2025

mamta

(MANJARI NEHRU KAUL)
JUDGE

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