

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

**240**

**CRM-M-6448-2020**

**DATE OF DECISION: 02.03.2021**

**KULWANT SINGH AND OTHERS**

... Petitioner (s)

Versus

**STATE OF PUNJAB AND ANOTHER**

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

**Present:** Mr. Balbir Singh Jaswal, Advocate  
for the petitioners.

Mr. Dhruv Dayal, Senior DAG, Punjab.

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**ANUPINDER SINGH GREWAL, J. (ORAL)**

Heard through video conferencing.

The petitioners are seeking quashing of FIR No.120 dated 28.05.2019, under Sections 326, 323, 324, 148 and 149 IPC registered at Police Station Beas, District Amritsar, on the basis of compromise dated 28.01.2020 (Annexure P-2), which has been arrived at between the parties.

On 05.03.2020, the coordinate Bench of this Court had passed the following order:-

Learned counsel for the petitioners while referring to Annexure P-2 has contended that a compromise has been effected between the parties and prayed for quashing of FIR No.120 dated 28.05.2019 registered under Sections 148, 326, 323 and 324 read with Section 149 of the Indian Penal Code, 1860 at Police Station Beas, District Amritsar and all subsequent proceedings arising therefrom.

Notice of motion.

On the asking of the Court, Mr. Sandeep Singh Deol, D.A.G. Punjab accepts notice on behalf of respondent No.1-State.

Mr. Vikki Sharma, Advocate has appeared on behalf of respondent No.2 and filed his memo of appearance, which is taken on record. He undertakes to file Power of Attorney on the next date of hearing and has admitted the factum of compromise.

Copies of the paper book have been supplied to the learned Counsel for the respondents.

Accordingly, the private parties are directed to appear before the trial Court/Illaq Magistrate on 16.03.2020 or any other date convenient to the Court for recording their statements with regard to compromise/settlement. Trial Court/Illaq Magistrate is directed to submit a report before the next date of hearing i.e 17.04.2020 containing the following information :-

1. Number of persons arrayed as accused in FIR.
2. Whether any accused is proclaimed offender.
3. Whether the compromise is genuine, voluntary and without any coercion or undue influence.
4. Whether the accused persons are involved in any other case or not.
5. Current stage of the case.

The trial Court is further directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR.

Trial Court/Illaq Magistrate is also directed to send the report in time so as to reach this Court before the date of hearing fixed.

The report of the SDJM, Baba Bakala Sahib, dated 02.03.2021

has been received, wherein it is stated that in pursuance to the order of this

Court, the statements of the parties were recorded which indicates that compromise which has been effected is genuine, voluntary and without undue influence.

In view of the above and the law laid down by the Supreme Court in the case of **Narinder Singh vs. State of Punjab 2014 (6) SCC 466**, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.120 dated 28.05.2019, under Sections 326, 323, 324, 148 and 149 IPC registered at Police Station Beas, District Amritsar and all consequential proceedings are hereby quashed qua the petitioner(s).

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**02.03.2021.**

SwarnjitS

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