

S.No.236

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45493 of 2021 (O&M)

Date of Decision:10.01.2022

Ranjit Singh

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Vikas Bali, Advocate for the petitioner.
Mr. Sukhbeer Singh, AAG, Punjab.
Mr. Bhisham Kumar Majoka, Advocate
for respondents No.2 and 3.

(Through Video Conferencing)

VIKAS BAHL, J.

This is a petition under Section 482 of Cr.P.C. for quashing of the order dated 24.05.2019 whereby the petitioner has been declared proclaimed person in FIR No.98 dated 04.06.2017 registered under Sections 323, 341, 506, 34 IPC at Police Station Doraha, Police District Khanna, District Ludhiana whereas the parties in the said FIR have compromised the matter.

On 03.11.2021, this Court was pleased to pass the following order:-

“This is the petition under Section 482 Cr.P.C. for quashing of order dated 24.05.2019 whereby the petitioner has been declared proclaimed person in FIR no.98 dated 04.06.2017 registered under Sections 323, 341, 506, 34 IPC, at Police Station Doraha, Police District Khanna, District Ludhiana.

Learned counsel for the petitioner has submitted that

in the present case, matter has been compromised and also highlighted the fact that in the present case before the petitioner has been declared proclaimed person, he was never served and had no knowledge about the said FIR.

Notice of motion.

On advance notice, Mr.N.K.Banka, DAG, Punjab, appears and accepts notice on behalf of the State. Mr.Bhisham Kumar Majoka, Advocate, accepts notice on behalf of respondents no.2 (complainant) & also for respondent no.3. He states that in the present case, compromise has been effected and in fact petition under Section 482 Cr.P.C. has been filed for quashing of FIR and also states that parties have to make statement before the trial Court and thus, also prays that operation of order dated 24.05.2019 be stayed.

Adjourned to 10.01.2022.

In the meantime, operation of order dated 24.05.2019 is stayed”

Learned counsel for the petitioner as well as respondents No.2 and 3 have reiterated the fact that the matter has been compromised between the parties. It has been submitted that the petitioner had filed a petition along with one Kulwinder Singh i.e. CRM-M-45012 of 2021 for quashing of the FIR in question on the basis of the compromise and the in the said case, the report had been received from the Judicial Magistrate Ist Class, Payal and in the said report, it had been submitted that the compromise is genuine and bonafide and on the basis of the same, the said petition has

been allowed vide order of even date and the FIR in question has been quashed. It is submitted that since the matter has been compromised and the and the FIR is quashed, the impugned order dated 24.05.2019 also deserves to be set aside.

Keeping in view the above facts and circumstances and the fact that the FIR in question has been quashed on the basis of compromise in CRM-M-45012 of 2021, the present petition is also allowed and order dated 24.05.2019 (Annexure P-9) is set aside.

January 10, 2022
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(VIKAS BAHL)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No