

2023:PHHC:150294

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SR. No.114

CRM-M-44388-2017 (O&M)
Date of decision:24.11.2023

PARMINDER SINGH@ PRINCE @MAJNU AND OTHERS

...PETITIONERS

Versus

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr. Nitin Narula, Advocate for the applicants-petitioners.

N.S. SHEKHAWAT, J.

CRM-48822-2023

Applicants-petitioners have filed the present application for preponement of the date of hearing of the main case to an early date.

Notice of the application.

On the asking of Court Mr. Amish Sharma, AAG, Punjab accepts notice on behalf of the respondent-State, while Mr. Sandeep Sharma, Advocate accepts notice on behalf of respondent No.2 and state that they have no objection in case the date of hearing is preponed to an early date.

Heard.

In view of the above, the present application is allowed. The date of hearing of the main case is preponed from 13.03.2024 to today for hearing.

CRM stands disposed of.

Main case

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 193 dated 24.07.2015 under Sections 506/148/149/326 IPC registered at Police Station Sultanwind, Amritsar (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. Vide order dated 22.11.2027, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the JMIC, Amritsar and as per her report dated 18.05.2018, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence. However, it has been mentioned therein that statement of petitioner No.7-Ajay Pal could not be recorded as he was declared proclaimed person vide order dated 15.01.2018.

4. Learned counsel for the petitioners submits that petitioner No.7-Ajay Pal Singh was declared as proclaimed person on 15.01.2018. Thereafter, the petitioner challenged the said order by filing CRM-M-9792-2018 before this Court and on 12.03.2018, this Court granted the interim anticipatory bail to the petitioner with a direction to join the investigation. When this matter came up for hearing on 05.09.2018, the order dated 12.03.2018 was made absolute.

5. I have heard counsel for the parties and gone through the case file.

6. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR deserves to be allowed qua the petitioners.

7. Resultantly, FIR No. 193 dated 24.07.2015 under Sections 506/148/149/326 IPC registered at Police Station Sultanwind, Amritsar alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

24.11.2023
mks

(N.S. SHEKHAWAT)
JUDGE

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO