

CRM-M-1720-2024

CRM-M-1720-2024 (O&M)
Date of Decision: 22.02.2024

ARUN KUMAR @ MONU AND OTHERS

...Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sukhpreet Singh, Advocate
for Mr. Mandeep Singh, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Vedant, Advocate and
Mr. Ramneek Singh, Advocate for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 0124 dated 04.06.2021 registered under Sections 458, 323, 506, 148 and 149 of Indian Penal Code at Police Station Division No. 4, District Patiala, Punjab and all subsequent proceedings arising therefrom in view of the compromise 17.06.2021 (Annexure P-2).

2. The following order was passed on 12.01.2024:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0124 dated 04.06.2021 under Sections 458/323/506/148/149 of IPC registered at Police Station Division No.4, District Patiala, Punjab (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 17.06.2021 (Annexure P-2).

Notice of motion.

At this stage, on the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab accepts notice on

behalf of respondent No.1-State and Mr. Prince Pushpinder Rana, Advocate accepts notice for respondent No.2 and files his memorandum of appearance and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day. Learned counsel appearing for respondent No.2 is directed to file his power of attorney on the next date of hearing.

Service is complete.

Now the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 22.02.2024.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the compromise and the ratio of law laid down by the Hon’ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834 and Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR**

(Crl.) 1052, this petition is allowed and FIR No. 0124 dated 04.06.2021 registered under Sections 458, 323, 506, 148 and 149 of Indian Penal Code at Police Station Division No. 4, District Patiala, Punjab and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

22.02.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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