

CRM-M-3589-2024
Date of decision: 29.05.2024

...PETITIONERS

...RESPONDENTS

Learned counsel for the petitioners would contend that the parties have since compromised the matter and the compromise



deed dated 05.01.2024 has been appended with the present petition as Annexure P-2. Learned counsel for the petitioners has relied upon the Larger Bench's judgment of this Court in "Kulwinder Singh & Ors. Vs. State of Punjab & Anr." [2007 (3) RCR (Criminal) 1052].

Notice of motion.

On the asking of the Court, Ms. Kanica Sachdeva, learned AAG, Punjab, waives service on behalf of respondent No.1-State. Mr. Shubham Goyal, Advocate accepts notice for respondents No.2 and 3. Copy of the petition has already been supplied to both the counsel.

Learned counsel appearing for respondents No.2 and 3 has stated that the parties have voluntarily entered into a compromise and that the compromise is annexed as Annexure P-2 with the petition. He further states that respondents No.2 and 3 have no objection if the aforesaid FIR is quashed.

List on 29.05.2024.

Meanwhile, the parties are directed to appear before the concerned CJM/Illaq Magistrate/Trial Court on 18.03.2024, or on any other date convenient to the Court, for recording of their statements. The CJM/Illaq Magistrate/Trial Court is directed to record the statements of the parties to its satisfaction qua the genuineness of the compromise and that the same is not the result of any undue influence, coercion or pressure of any kind. A report, alongwith the statements of the parties, on the following points be sent to this Court before the next date of hearing :

- 1) Whether the settlement/compromise dated 05.01.2024 (Annexure P-2) has been freely entered into between the parties without any undue influence, coercion or pressure of any kind.*
- 2) Whether any other criminal cases are pending against the parties.*
- 3) Whether any proclamation proceedings are pending against either of the parties."*

3. In compliance of the above 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.62 dated 29.05.2019, registered under Sections 341, 323, 509 of the Indian Penal Code, 1860 (Section 354-D IPC added later on), at Police Station City-2 Abohar, District Fazilka (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

May 29, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |