

281 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-6452-2024 (O&M)

Date of Decision: 14.03.2024

HARDEEP SINGH AND OTHERS

...Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Gaganbir Kahlon, Advocate for
Mr. Vipin Mahajan, Advocate for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Sandeep 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. 30 dated 26.05.2022 registered under Sections 469, 500 and 120-B of Indian Penal Code and Sections 66, 66(B), 66(C) of IT Act, 2000 at Police Station Behrampur, District Gurdaspur, Punjab and all subsequent proceedings arising therefrom in view of the compromise dated 03.01.2024 (Annexure P-2).

2. The following order was passed on 07.02.2024:

“The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 30 dated 26.05.2022 registered under Sections 469, 500, 120-B of Indian Penal Code and Sections 66, 66(B), 66(C) of IT Act, 2000 at Police Station Behrampur, District Gurdaspur, Punjab (Annexure P-1) on the basis of compromise dated 03.01.2024 (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. Copy of the paper book be

supplied to him during the course of day.

Learned counsel for the petitioners undertakes to secure the presence of respondent No. 2 before the Court below at the time of recording the statement.

The parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks or any other date convenient to concerned Court 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 petitioners on or before the date fixed i.e. 14.03.2024.

A copy of the order be sent to the 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. Mr. Sandeep Singh, Advocate has put in appearance on behalf of the respondent No. 2 and files his power of attorney. Same is taken on record.

5. 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. 30 dated 26.05.2022 registered under Sections 469, 500 and 120-B of Indian Penal Code and Sections 66, 66(B), 66(C) of IT Act, 2000 at Police Station Behrampur,

District Gurdaspur, Punjab and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

14.03.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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