



CRM-M-4707-2024 (O&M)

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238 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-4707-2024 (O&M)

Date of Decision: 02.09.2024

SHER ALI AND OTHERS

...PETITIONERS

Versus

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anshul Sharma, Advocate for
Ms. Pragati Kumari, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Satnam Singh Thakur, Advocate
for respondents No. 2 and 3.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.132 dated 04.12.2022 under Sections 363, 366-A, 34 of IPC, registered at Police Station Mehtiana, District Hoshiarpur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 08.01.2024 (Annexure P-2).

2. The following order was passed on 01.08.2024:

“CRM-30115-2024

Present application has been filed under Section 482 Cr.P.C. seeking restoration of the main petition.

In view of the averments made in the application, same is allowed and the order dated 19.07.2024 is hereby recalled and the main petition, which was dismissed for non-prosecution, is ordered to be restored to its original number.

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This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.132 dated 04.12.2022 under Sections 363, 366-A, 34 of IPC, registered at Police Station Mehtiana, District Hoshiarpur (Annexure P-1) along with all subsequent proceedings



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arising therefrom on the basis of compromise dated 08.01.2024 (Annexure P-2).

Adjourned to 02.09.2024.

In the meanwhile, 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.

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.132 dated 04.12.2022 under Sections 363, 366-A, 34 of IPC, registered at Police Station Mehtiana, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

02.09.2024

Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No