

CRM-M-5235-2024

253 IN THE HIGH COURT OF PUNJAB AND HARYANA  
CHANDIGARH

CRM-M-5235-2024 (O&amp;M)

Date of Decision: 15.03.2024

BALRAJ SINGH @ BALRAJ SINGH BATTA AND OTHERS

...Petitioners

V/S

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sandeep Kumar, Advocate  
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Sahil Nain, Advocate  
for Mr. Himanshu, Advocate for  
for respondents No 2 to 11.

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**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. 46 dated 25.04.2019 registered under Sections 353, 186, 506, 148 and 149 of Indian Penal Code at Police Station Hariana, District Hoshiarpur and all subsequent proceedings arising therefrom in view of the compromise dated 16.03.2023 (Annexure P-2).

2. The following order was passed on 05.02.2024:

*“The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 46 dated 25.04.2019 registered under Sections 353, 186, 506, 148, 149 IPC at Police Station Hariana, District Hoshiarpur on the basis of compromise dated 16.03.2023 (Annexure P-2).*

*Learned counsel for the petitioners inter alia contends that in view judgment passed by Division Bench of this Court in Vinod @ Boda and others vs. State of Haryana and others, 2017(1) RCR (Criminal) 571, FIR*

*(supra) registered under Sections 353, 186, 506, 148, 149 IPC can be quashed on the basis of compromise.*

*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. Himansha Garg, Advocate accepts notice on behalf of respondents No. 2 to 11 and files his Power of Attorney and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.*

*Service is complete.*

*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. 15.03.2024.*

*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. 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. 46 dated 25.04.2019

registered under Sections 353, 186, 506, 148 and 149 of Indian Penal Code at Police Station Haryana, District Hoshiarpur and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

15.03.2024  
*Ajay Goswami*

(HARPREET SINGH BRAR)  
JUDGE

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No

AJAY GOSWAMI  
2024.03.15 16:56  
I attest to the accuracy and  
integrity of this document