

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-M No. 4905 of 2024

Date of Decision: 01.03.2024

Rachpal Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Shivender Pal Singh, Advocate for
Mr. Brijeshwar Singh Bhalla, Advocate for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Rajveer Singh Brar, Advocate for
Ms. Samriti Singh, Advocate for respondent No. 2.

HARPREET SINGH BRAR, J.(ORAL)

1. This is a petition that has been filed seeking quashing of FIR No.353 dated 19.11.2023 under Sections 336, 506 IPC (Sections 468, 471, 473 IPC added later on) and Sections 25, 27 of the Arms Act, 1959 (Section 25 of the Arms Act deleted later on) registered at Police Station Division B, District Amritsar and all subsequent proceedings arising therefrom in view of the compromise/affidavit dated 18.01.2024.

2. The following order was passed on 31.01.2024:

“This is a petition that has been filed seeking quashing of FIR No.353 dated 19.11.2023 under Sections 336, 506 IPC (Sections 468, 471, 473 IPC added later on) and Sections 25, 27 of the Arms Act, 1959 (Section 25 of the Arms Act deleted later on) registered at Police Station Division B, District Amritsar on the basis that a compromise has been entered into between the parties.

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-State and Ms. Samriti Singh, Advocate accepts notice for respondent No.2 and files her power of attorney, which is taken on record. Learned counsel for respondent No.2 admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

Parties are directed to appear before the learned trial Court/Illaq Magistrate with a period of two weeks 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 the petitioners herein on or before the date fixed i.e. 01.03.2024.

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

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.353 dated 19.11.2023 under Sections 336, 506 IPC (Sections 468, 471, 473 IPC added later on) and Sections 25, 27 of the Arms Act, 1959 (Section 25 of the Arms Act deleted later on) registered at Police Station Division B, District Amritsar and all

subsequent proceedings arising out of the same are quashed, qua the petitioner.

01.03.2024

(HARPREET SINGH BRAR)

Rajeev (rvs)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No