

CRM-M-5385-2024

269 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-5385-2024 (O&M)

Date of Decision: 05.03.2024

SIDDHARTH SINGH

...Petitioner

V/S

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rishabh Gupta, Advocate
for the petitioners

Mr. Rishabh Singla, AAG Punjab.

Mr. Amitoj Singh, Advocate for
Mr. Aminder Singh, Advocate for respondents No. 2 to 4.

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. 0245 dated 11.11.2022 registered under Sections 341, 323, 506 of Indian Penal Code (Section 307 of IPC added later on and Section 25 and 27 of Arms Act deleted later on) at Police Station City Sangrur, District Sangrur and all subsequent proceedings arising therefrom in view of the compromise 26.03.2023 (Annexure P-4).

2. The following order was passed on 02.02.2024:

“The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 0245 dated 11.11.2022 under Sections 341, 323, 506 of Indian Penal Code (Section 336 IPC added later on and Section 307 IPC, Sections 25 and 27 of Arms Act have been deleted vide DDR No. 20 dated 24.09.2023 and DDR No. 018 dated 28.12.2023 respectively) registered at Police Station City Sangrur, District Sangrur (Annexure P-1) on the basis of compromise dated 26.03.2023 (Annexure P-4).

Learned counsel for the petitioners inter alia

contends that it is a case of version and cross-version and initially the offence under Section 307 IPC was there in the FIR, however, the investigating agency has deleted Section 307 IPC and added Section 336 IPC later on.

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. Aminder Singh, Advocate accepts notice on behalf of respondents No. 2 to 4 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/ Illaqa 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/Illaqa Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against the petitioner on or before the date fixed i.e. 05.03.2024.

A copy of the order be sent to the learned trial Court/Illaqa 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**

CRM-M-5385-2024

(Crl.) 1052, this petition is allowed and FIR No. 0245 dated 11.11.2022 registered under Sections 341, 323, 506 of Indian Penal Code (Section 307 of IPC added later on and Section 25 and 27 of Arms Act deleted later on) at Police Station City Sangrur, District Sangrur and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

05.03.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

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