

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

254

CRM-M No. 6363 of 2023
Date of Decision: 27.02.2024

Pawan Kumar and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

None for respondent No. 2.

HARPREET SINGH BRAR, J.(ORAL)

1. Present petition has been filed under Section 482 of Cr.P.C. seeking quashing of FIR No. 65 dated 18.04.2019, under Sections 380, 451, 201 and 34 of the Indian Penal Code, 1860 registered at Police Station Division No.3, District Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-1).

2. The following order was passed on 03.05.2023:

“Present petition has been filed under Section 482 of Cr.P.C. seeking quashing of FIR No. 65 dated 18.04.2019, under Sections 380, 451, 201 and 34 of the Indian Penal Code, registered at Police Station Division No.3, District Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-1).

Learned counsel for the parties submits that the dispute has been amicably settled between the private parties in terms of the compromise (Annexure P-1).

In view of the above, parties are directed to appear before the Illaqa Magistrate/trial Court to get their statement(s) recorded with regard to compromise/settlement within a period of 30 days from today.

The learned Illaqa Magistrate/trial Court is directed to submit a report on or before the next date of hearing containing the following information:-

- 1. Number of persons arraigned as accused in FIR;*
- 2. Whether any accused is proclaimed offender;*
- 3. Whether the compromise is genuine, voluntary, and without any coercion or undue influence;*
- 4. Whether the accused persons are involved in any other case or not;*
- 5. The trial Court is also directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR and apprise this Court about the stage of proceedings?*

The report of the Illaqa Magistrate/trial Court be awaited for 13.07.2023.”

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. 65 dated 18.04.2019, under Sections 380, 451, 201 and 34 of the Indian Penal Code, 1860 registered at Police Station Division No.3, District Ludhiana and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

27.02.2024

Rajeev (rvs)

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No