

CRM-M-7212-2024

267 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-7212-2024 (O&M)

Date of Decision: 15.03.2024

JAIPAL SINGH @ SUNNY 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 respondents No 2 and 3.

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. 97 dated 19.06.2023 registered under Sections 323, 342, 506, 148 and 149 of Indian Penal Code (Section 326 of IPC added later on) at Police Station Division No. 2, District Police Commissionerate, Ludhiana and all subsequent proceedings arising therefrom in view of the compromise dated 12.01.2024 (Annexure P-2).

2. The following order was passed on 12.02.2024:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.97 dated 19.06.2023 under Sections 323/342/506/148/149 of IPC (Section 326 of IPC added later on) registered at Police Station Division No.2, District Police Commissionerate, Ludhiana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 12.01.2024 (Annexure P-2).

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. Samil Nain, Advocate accepts notice for respondents No.2 & 3 and files his vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

Now 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 i.e. 15.03.2024.

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. 97 dated 19.06.2023 registered under Sections 323, 342, 506, 148 and 149 of Indian Penal Code

(Section 326 of IPC added later on) at Police Station Division No. 2,
District Police Commissionerate, Ludhiana 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	Yes/No
Whether reportable	Yes/No