

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M No. 10380 of 2023
Date of Decision: 27.02.2024

Jagtar Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Janak Singh Bhinder, Advocate for the petitioners.
Mr. Rishabh Singla, AAG, Punjab.
None for respondent No. 2.

HARPREET SINGH BRAR, J.(ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.21 dated 31.03.2016 under Sections 323/324/34 of IPC, registered at Police Station Cheema, District Sangrur (Annexure P-1) and all other subsequent proceedings arising therefrom, on the basis of compromise dated 23.12.2019 (Annexure P-2) arrived at between the parties.

2. The following order was passed on 01.03.2023:
“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.21 dated 31.03.2016 under Sections 323/324/34 of IPC, registered at Police Station Cheema, District Sangrur (Annexure P-1) and all other consequential proceedings arising therefrom, on the basis of compromise dated 23.12.2019 (Annexure P-2) arrived at between the parties.

Notice of motion.

Mr. Adhiraj Singh, AAG, Punjab, puts in appearance and accepts notice on behalf of respondent No.1-State and seeks time to file reply, if any.

At this stage, Mr. Angraze Singh Dhindsa, Advocate puts in appearance on behalf of respondent No.2 and filed memorandum of appearance in the Court today which is taken on record. Copy of the paper book be supplied during the course of the day.

Learned counsel for respondent No.2 affirmed the factum of compromise between the parties.

Let the parties to appear before the trial Court/Area Magistrate, as the case may be, on 16.03.2023 for getting their statements recorded with regard to the compromise. Trial Court is directed to report on the following points:-

- (i) how many total accused are facing the trial;*
- (ii) whether any of the accused was declared proclaimed offender at any stage of trial;*
- (iii) status/stage of the trial/case;*
- (iv) to record the statements of all the concerned parties with regard to the genuineness and validity or otherwise of the compromise;*
- (v) to record the statement of Investigating Officer with regard to points No. (i), (ii) and (iii) as above.*

Report be sent through District and Sessions Judge, before the next date of hearing.

Adjourned to 29.05.2023.”

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.21 dated 31.03.2016 under

Sections 323/324/34 of IPC, registered at Police Station Cheema, District

Sangrur (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

27.02.2024

(HARPREET SINGH BRAR)

Rajeev (rvs)

JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No