

CRM-M-14875-2016

253(2) IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-14875-2016 (O&M)
Date of Decision: 30.01.2024

MOHAN SINGH AND OTHERS

...Petitioners

V/S

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Inderjit Sharma, Advocate
for the petitioners.

Mr. Subhash Godara, Addl. AG Punjab.

Mr. Manbir Singh Basra, Advocate for
respondents No. 2 to 5.

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. 60 dated 23.06.2008 registered under Sections 326, 452, 323, 324, 427, 148 and 149 of Indian Penal Code at Police Station Kahnuwan Tehsil and District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 10.04.2016 (Annexure P-3).

2. The following order was passed on 02.05.2016:

“Notice of motion for 19.07.2016.

Mr. C.S. Brar, Deputy Advocate General, Punjab and Mr. Manbir S. Basra, Advocate has put in appearance on behalf of respondent No. 1-State and 2 & 5, respectively.

Parties are directed to appear before the trial Court to get their statements recorded to the satisfaction of the trial Court within a period of fifteen days and report be sent accordingly before the next date of hearing.”

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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 **Parambir Singh Gill Vs. Malkiat Kaur 2010(1) RCR (Crl.) 256, Jayaraj Singh Digvijay Singh Rana Vs. State of Gujrat and Another 2012(4) RCR (Crl.) 589, 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. 60 dated 23.06.2008 registered under Sections 326, 452, 323, 324, 427, 148 and 149 of Indian Penal Code at Police Station Kahnuwan Tehsil and District Gurdaspur and all subsequent proceedings arising out of the same are quashed, qua the petitioners.
5. Pending CRM(s), if any, are also disposed of accordingly.

30.01.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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