

CRM-M-11758-2023

259 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-11758-2023 (O&M)

Date of Decision: 14.02.2024

GURPREET SINGH AND ANOTHER

...Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Bhagyashri Setia, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG Punjab.

Ms. Vralika Bassi, Advocate for respondent No. 2.

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. 0105 dated 24.07.2018 registered under Sections 326, 323 and 34 of Indian Penal Code at Police Station Bhikhiwind, District Tarn Taran and all subsequent proceedings arising therefrom in view of the compromise dated 20.02.2023 (Annexure P-2).

2. The following order was passed on 04.05.2023:

"It is submitted that the parties are closely related. The injury which led to inclusion of the offence under Section 326 IPC is on a non-vital part of the body i.e. leg. Quashing of the FIR would result in peaceful and harmonious relations. The trial has not yet commenced, thus, the FIR may be quashed.

Notice of motion.

Mr. Kamalpreet Bawa, AAG Punjab accepts notice on behalf of respondent No. 1 and waives service.

Ms. Harshita, Advocate for Mr. Jagdeep Singh, Advocate puts in appearance on behalf of respondent No. 2 and waives service.

Learned counsel appearing for respondent No. 2 admits the factum of compromise.

The parties are directed to appear before the trial Court/Illaq Magistrate on 31.05.2023 at 10.00 a.m. and get their statements recorded and thereafter the trial Court shall transmit its report to this Court regarding genuineness of compromise before the next date of hearing i.e. 08.08.2023.”

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. 0105 dated 24.07.2018 registered under Sections 326, 323 and 34 of Indian Penal Code at Police Station Bhikhiwind, District Tarn Taran and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

14.02.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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