

CRM-M-13874-2023

234 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-13874-2023 (O&M)

Date of Decision: 05.04.2024

ROHIT ATTRI

...Petitioner

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vishal Yadav, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

Mr. Varun Gupta, Advocate for
Mr. Ashish Gupta, 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. 62 dated 12.10.2021 registered under Sections 406 and 498-A of Indian Penal Code at Police Station Handesra, District SAS Nagar, Mohali and all subsequent proceedings arising therefrom, in view of the compromise dated 12.01.2023 (Annexure P-2).

2. The following order was passed on 20.03.2023:

“The petitioner - Rohit Attri has filed petition under Section 482 Cr.P.C. for quashing of FIR No. 62 dated 12.10.2021, under Sections 406 and 498-A of IPC, registered as Police Station Handesra, District SAS Nagar, Mohali and all subsequent proceedings arising out of the above mentioned FIR on the basis of mutual compromise dated 12.01.2023 (Annexure P-2).

Notice of motion.

On the asking of this Court, Mr. Kunwarbir Singh, AAG, Punjab accepts notice on behalf of the State. Learned counsel for the petitioner is directed to supply him a complete

copy of the paperbook.

Mr. Ashish Gupta, Advocate has filed memorandum of appearance on behalf of respondent no. 2. He is directed to file his vakalatnama on the next date of hearing.

Let the statements of the parties be recorded with regard to the compromise on 12.05.2023 before the learned Illaqa/Duty Magistrate, concerned or on any early date convenient to the said Court. In the event of their statements being recorded, the Court will send copies of the same to this Court before the next date of hearing along with its report.

1. The number of accused in the aforesaid FIR and to report whether any of the accused has been declared proclaimed offender or any such proceedings have been initiated or pending against him.

2. Whether the compromise entered between the parties is genuine voluntarily without any coercion or undue influence.

3. Statement of IO regarding involvement of petitioner in any other FIR.

4. Status of the trial pending before the Court.

To await the report, list again on 30.05.2023.

Status report be filed by respondent State by the adjourned date.”

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. 62 dated 12.10.2021 registered under Sections 406 and 498-A of Indian Penal Code at Police

Station Handesra, District SAS Nagar, Mohali and all subsequent proceedings arising therefrom, are quashed, qua the petitioner.

05.04.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No