

214-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17372-2024
Date of decision: 03.05.2024

SIKANDER SINGH AND OTHERS
V/S
STATE OF PUNJAB AND ANOTHER
...PETITIONERS
...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR
Present: Mr. A.P. Kaushal, Advocate for the petitioners.
 Mr. Sandeep Kumar, DAG, Punjab.
 Mr. G.S. Sandhu, Advocate for respondent Nos.2 and 3.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of GD No.20 dated 04.06.2018 under Sections 324/34 of IPC, registered at Police Station Dakha, District Ludhiana (Rural), in FIR No.184 dated 04.06.2018 under Sections 452, 354, 323, 506, 148, 149 of IPC, registered at Police Station Dakha, District Ludhiana (Rural) (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 21.07.2022 (Annexure P-3).
2. The following order was passed on 08.04.2024 :-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of GD No.20 dated 04.06.2018 under Sections 324 & 34 of IPC, registered at Police Station Dakha, District Ludhiana (Rural), in FIR No.184 dated 04.06.2018 under Sections 452, 354, 323, 506, 148, 149 of IPC, registered at Police Station Dakha, District Ludhiana (Rural) (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

Notice of motion for 03.05.2024.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. A.P. Kaushal, Advocate accepts notice for respondent No.2 and files his Vakalatnama, which is taken on record. Copy of the paper book be supplied to them during the course of day.

Service is complete.

To be heard along with **CRM-M-15787-2024**.

In the meanwhile, 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. 03.05.2024.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

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 GD No.20 dated 04.06.2018 under Sections 324/34 of IPC, registered at Police Station Dakha, District Ludhiana (Rural), in FIR No.184 dated 04.06.2018 under Sections 452, 354, 323, 506, 148, 149 of IPC, registered at Police Station Dakha, District Ludhiana (Rural) (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

May 03, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No