



**281(2) IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

CRM-M-17364-2023 (O&M)

Date of Decision: 03.10.2024

MANPREET KAUR

...Petitioner

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

Mr. Rakesh Kumar, Advocate for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.50 dated 14.08.2022 registered at Police Station Bholath, District Kapurthala under Sections 3(1)(r) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (Amendment 2015) and Section 506 IPC, on the basis of affidavit dated 28.03.2023 (Annexure P-3) duly executed by respondent No.2-Shinder Kaur.

2. The following order was passed on 06.08.2024:

“The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.50 dated 14.08.2022 registered at Police Station Bholath, District Kapurthala under Sections 3(1)(r) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (Amendment 2015) and Section 506 IPC, on the basis of affidavit dated 28.03.2023 (Annexure P-3) duly executed by respondent No.2-Shinder Kaur.

Learned counsel for the petitioner contends that the



present FIR was registered due to misunderstanding between the parties. He further contends that the matter has been compromised between the parties and affidavit dated 28.03.2023 (Annexure P-3) has been duly executed by respondent No.2. As such respondent No.2 does not want to take any action in the present FIR.

Notice of motion has already been issued by the Coordinate Bench of this Court vide order dated 17.11.2023..

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

The State to file objections, if any; and also to verify as to whether all the accused in the present FIR/case have been arrayed as a party in the present petition and as to whether any of the accused has been declared as proclaimed offender. State may file reply/status report.

Copies of the petition be handed over to learned counsel for the respondents during the course of the day.

The parties are directed to appear before the trial Court/Illaq Magistrate up-to 22.08.2024 for recording of their statements. After recording the statements of all the accused, victim, complainant and injured if any, the trial Court/Illaq Magistrate shall send a report to this Court on the following facts well before the next date of hearing:-

I. Whether a genuine compromise has been arrived at between all the affected parties.

II. Whether the complainant, all the injured/victim and all the accused are party to the compromise?

III. Whether during investigation, any additional accused has been added and he/she is a party to the compromise?

IV Whether any accused is a Proclaimed Offender?

V Whether after the registration of the FIR any offence was added or deleted during investigation?

VI Whether investigation is pending against any of the accused



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or any accused has been declared as innocent.

Adjourned to 03.10.2024.

In the meantime, power of attorney of learned counsel for respondent No.2 be filed.”

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.50 dated 14.08.2022 registered at Police Station Bholath, District Kapurthala under Sections 3(1)(r) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (Amendment 2015) and Section 506 of Indian Penal Code, along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

03.10.2024
Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No