



242 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19589-2019 (O&M)
Date of decision: 29.07.2024

IMAM DIN

...PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Deepak Arora, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

Mr. G.S. Rawat, Advocate
for respondents No. 2 and 3.

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. 19, dated 28.03.2018 registered under Sections 363, 366-A, 120-B of IPC at Police Station Purana Shalla, District Gurdaspur along with all consequential proceedings arising therefrom, on the basis of compromise dated 23.02.2019 (Annexure P-3).

2. The following order was passed on 01.05.2019:

“Prayer made in this petition is for quashing of FIR and all the consequential proceedings arising therefrom on the basis of the compromise between the parties.

Notice of motion for 13.08.2019.

Meanwhile, the parties are directed to appear before the Illaqa Magistrate/trial Court for recording their respective statements with regard to compromise/settlement on 27.05.2019.

The Illaqa Magistrate/trial Court is directed to submit a report along with copies of statements of parties on or before the next date of hearing containing the following information as well:-

(i) Number of persons arrayed as accused in FIR;

(ii) Whether any accused is proclaimed offender; and
(iii) Whether the compromise is genuine, voluntary, and without any coercion or undue influence.”

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. 19, dated 28.03.2018 registered under Sections 363, 366-A, 120-B of IPC at Police Station Purana Shalla, District Gurdaspur and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

July 29, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No