

CRM-M-22703-2022
Date of decision: 30.01.2024

...PETITIONERS

V/S

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Krishan Kanha, Advocate for
Mr. Ashwani Kumar Bansal,
for the petitioners.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR J. (ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.17 dated 13.02.2011 registered under Sections 419, 420, 465, 467, 468, 471, 120-B Indian Penal Code at Police Station Raman, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise effected between the parties.

2. The following order was passed on 20.10.2023 :

“The present The present petition has been filed for quashing of FIR along with all subsequent proceedings on the basis of compromise.

Vide order dated 24.05.2022 the parties were directed to appear before the trial court for getting recorded their statement regarding compromise. However, respondent No.2 could not be served. Today respondent No.2 has put in appearance through counsel, who has submitted the complainant has settled the matter.

In view of the above, the parties are again directed to appear before the Trial Court/Illaq Magistrate on 23.11.2023 or any other date convenient to the Court for

recording their statements with regard to compromise. The Trial court/Illaqa Magistrate is directed to record the statements of both the parties to its satisfaction to know the genuineness of the compromise and to assess that the statements are not the result of any pressure or coercion in any manner. The Trial Court/Illaqa Magistrate is also directed to send a report along with statements of the parties with regard to validity or otherwise of the compromise effected between the parties. It shall also be reported whether petitioners have been declared Proclaimed Offenders in this case or not.

List on 30.01.2024.”

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.17 dated 13.02.2011 registered under Sections 419, 420, 465, 467, 468, 471, 120-B Indian Penal Code at Police Station Raman, District Bathinda (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

January 30, 2024
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(HARPREET SINGH BRAR)
JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No