



CRM-M- 23281-2024

1

222-2

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-23281-2024
Date of decision: 27.05.2024**

KULDEEP SINGH AND OTHERS**....PETITIONERS**

Versus

STATE OF PUNJAB AND OTHERS**....RESPONDENTS****CORAM:- HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: - Mr. Vikas Gupta, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Vivek Singla, Advocate
for respondent Nos. 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 bearing No.156 dated 10.09.2022 under Sections 452/427/324/148/149 of IPC registered at Police Station Sadar Patti, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 16.04.2024 (Annexure P-3).

2. The following order was passed on 09.05.2024:-

“This is a petition under Section 482 Cr.P.C. for quashing of FIR No. 156, dated 10.09.2022 (Annexure P-1), under Sections 452, 427, 324, 148 and 149 of the IPC, 1860, registered at Police Station Sadar Patti, District Tarn Taran, with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-3).



Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG, Punjab, accepts notice on behalf of respondent No. 1-State.

Mr. Vivek Singla, Advocate has put in appearance on behalf of respondents No.2 and 3 and has filed Vakalatnama. He admits the factum of compromise entered into between the parties.

List on 27.05.2024.

In the meantime, the parties are directed to appear before the Illaqa Magistrate/trial Court within a period of two weeks from today, for recording of their statements with regard to the compromise.

The trial Court is directed to submit a report on or before the next date of hearing containing the following information:-

- (i) Number of persons arrayed as accused in the FIR;*
- (ii) Whether any accused is declared as proclaimed offender?*
- (iii) Whether the compromise is genuine, voluntary and without any coercion or undue influence?*
- (iv) Whether the accused persons are involved in any other FIR or not?"*

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 bearing No.156

dated 10.09.2022 under Sections 452/427/324/148/149 of IPC registered at Police Station Sadar Patti, District Tarn Taran (Annexue P-1) and compromise dated 16.04.2024, all subsequent proceedings arising out of the same are quashed, qua the petitioners.

27.05.2024
Anu

(HARPREET SINGH BRAR)
JUDGE

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |