

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

280

CRM-M No. 23981 of 2023

Date of Decision: 29.01.2024

Amardeep Singh @ Lali

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Vikasdeep Singh , Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Vikas Gupta, Advocate for respondent No. 2.

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. 40 dated 06.04.2023 registered under Sections 193, 211, 201, 120-B, 34 IPC, 1860 and Sections 25 and 27 of Arms Act, 1959 at Police Station Sadar Tarn Taran, District Tarn Taran and all subsequent proceedings arising therefrom in view of the compromise dated 03.05.2023.

2. The following order was passed on 20.11.2023:

“By referring to order dated 25.07.2023, Annexure P4, counsel for the petitioner submits that a criminal case registered by the petitioner arising out of the same dispute, has been quashed on the basis of a compromise. He submits that this matter has been amicably settled by compromise dated 03.05.2023, Annexure P2.

Counsel representing complainant/respondent No.2 admits the factum of settlement between the parties.

State counsel submits that he has not received any instructions.

A statement has been made by counsel for the private parties that the FIR is under investigation.

The parties and the Investigating Officer are directed to appear before the Area Magistrate/Trial Court on 12.12.2023 or on any day thereafter as fixed by the trial Court, for getting their statements recorded with regard to the compromise. The Area

Magistrate/Trial Court shall submit a report on or before the next date of hearing specifying the following:-

- 1. the number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/P.O. in the case;*
- 2. the name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*
- 3. the stage of trial/proceedings;*
- 4. if the compromise is genuine, voluntary and out of free will of the parties;*
- 5. whether any other criminal case is pending against the accused.*

Report of the Area Magistrate/Trial Court be awaited for 29.01.2024.”

3. In compliance of the above order, a report dated 15.12.2023 has been received from Additional Chief Judicial Magistrate, Tarn Taran 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. 40 dated 06.04.2023 registered under Sections 193, 211, 201, 120-B, 34 IPC, 1860 and Sections 25 and 27 of Arms Act, 1959 at Police Station Sadar Tarn Taran, District Tarn Taran and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

29.01.2024

Rajeev (rvs)

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No