



233 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23956-2024 (O&M)
Date of decision: 01.07.2024

BOOTA RAM AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. G.S. Brar, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Shivam Vashisht, 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 DDR No.46 dated 05.05.2022 under Sections 354, 323, 506, 148, 149 of Indian Penal Code (Sections 354-D(1)(i) & 352 of IPC added later on) (Annexure P-2) in FIR No. 84 dated 03.05.2022 under Sections 324, 323, 342, 148, 149 of IPC, registered at Police Station Phillaur, District Jalandhar Rural (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 30.03.2024 (Annexure P-3).

2. The following order was passed on 13.05.2024:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of DDR No.46 dated 05.05.2022 under Sections 354, 323, 506, 148, 149 of IPC (Sections 354-D(1)(i) & 352 of IPC added later on) (Annexure P-2) in FIR No.84 dated 03.05.2022 under Sections 324, 323, 342, 148, 149 of IPC, registered at Police Station Phillaur, District Jalandhar Rural



(Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 30.03.2024 (Annexure P-3).

Notice of motion for 01.07.2024.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Shivam Vashisht, Advocate accepts notice for respondent No.2 and files Memorandum of Appearance, which is taken on record. Copy of the paper book be supplied to them during the course of day. Learned counsel for respondent No.2 undertakes to file Vakalatnama in the Registry before the next date of hearing.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

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 (CrI.) 1052**, this petition is allowed and DDR No.46 dated 05.05.2022 under Sections 354, 323, 506, 148, 149 of Indian Penal Code (Sections 354-D(1)(i) & 352 of IPC added later on) (Annexure P-2) in FIR No. 84 dated 03.05.2022 under Sections 324, 323,

342, 148, 149 of IPC, registered at Police Station Phillaur, District Jalandhar Rural and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

July 01, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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