



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

304

CRM-M-24279-2024 (O&M)
Date of decision: 18.07.2024

RAVI ALIAS SHAKILA AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Vinay Puri, Advocate
for the petitioners.

Mr. D.B. Singh, Sr. DAG, Punjab.

Mr. Puneet Singla, Advocate
for respondents No.2 to 4.

HARPREET KAUR JEEWAN, J.

1. At the very outset, learned counsel for the petitioners has informed that there is a typographical error in the head note as well as in the prayer clause of the petition as Section 354-B IPC is mentioned instead of Section 354 IPC. He has made an oral request for correction of the said typographical error. As such, Section 354 IPC is ordered to be read in the head note as well as in the prayer clause of the main petition instead of Section 354-B IPC. Registry is directed to do the needful.
2. The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.147 dated 12.11.2018, under Sections 354, 323, 427, 506, 148, 149 IPC registered at Police Station Cantt.



Jalandhar, District Jalandhar (Annexure P-1) on the basis of compromise deed dated 01.04.2024 (Annexure P-2) executed between the parties.

3. Learned counsel for the petitioners *inter alia* contends that the FIR was registered due to a misunderstanding between the parties. He further contends that the matter has been settled between the parties and compromise deed dated 01.04.2024 (Annexure P-2) has been executed between them. The matter stands settled between the parties, as such respondents No.2 to 4 do not want to take any action in the present FIR.

4. Learned counsel for respondents No.2 to 4 has confirmed the factum of compromise between the parties.

5. Status report by way of an affidavit of Sukhninder Singh, PPS, Assistant Commissioner of Police, Sub Division V, Cantonment, Jalandhar has been filed on behalf of the respondent-State, which is taken on record.

6. Learned State counsel has not raised any objection regarding the acceptance of the present petition.

7. On 27.05.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise. The said order reads as under:

“Learned counsel for the petitioners contends that the FIR was registered due to a misconception and misunderstanding between the parties. He further contends that the matter has been settled between the parties and compromise deed dated 01.04.2024 (Annexure P-2) has been executed between them, as such respondents No.2 to 4 do not want to take any action in the present FIR. He submits that in the connected petition bearing No.CRM-M-24994-2024, the petitioner No.2-Parveen has already been granted interim bail by this Court vide order dated 18.05.2024 and in compliance of the said order, the petitioner has appeared before the trial Court.

Notice of motion.

On the asking of the Court, Ms. Himani Arora, AAG, Punjab accepts notice on behalf of respondent No. 1-State.

Mr. Puneet Singla, Advocate has put in appearance on behalf of



the respondents No.2 to 4 and filed his power of attorney, which is taken on record. He confirms about factum of compromise between the parties.

The State to file objections, if any; and also to verify as to whether all the accused in the present FIR/case have been arrayed as a party in the present petition and as to whether any of the accused has been declared as proclaimed offender. State may file reply/status report.

Copies of the petition be handed over to learned counsel for the respondents during the course of the day.

Adjourned to 10.07.2024.

The parties are directed to appear before the trial Court/Illaq Magistrate up-to 31.05.2024 for recording of their statements. After recording the statements of all the accused, victim, complainant and injured if any, the trial Court/Illaq Magistrate shall send a report to this Court.”

8. As per the report dated 06.07.2024 received from Civil Judge (Junior Division)-cum-JMIC, Jalandhar forwarded through the office of District and Sessions Judge, Jalandhar, statements of all the accused-petitioners, complainants and concerned Investigating Officer have been recorded. The compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

9. The order dated 24.02.2021 passed by the Judicial Magistrate First Class-II, Jalandhar declaring petitioner No.2-Parveen as proclaimed offender, has already been set aside by this Court vide order of even date passed in **CRM-M-24994-2024** titled ***Parveen vs. State of Punjab and another***.

10. Keeping in view the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052**, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

11. Consequently, the present petition is allowed and FIR No.147 dated



12.11.2018, under Sections 354, 323, 427, 506, 148, 149 IPC registered at Police Station Cantt. Jalandhar, District Jalandhar (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

12. However, the respondents No.2 to 4 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise are violated.

13. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

18.07.2024
P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No