



222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25587-2024 (O&M)

Date of decision: 05.07.2024

RAHUL AND ANOTHER

...PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the private parties.

Mr. Vikas Bhardwaj, AAG Haryana.

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.112 dated 24.06.2023 under Sections 363/366-A of IPC registered at Police Station Guruharshai, District Ferozepur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of affidavits dated 23.08.2023 and 10.04.2024 (Annexures P-2 & P-3).

2. The following order was passed on 20.05.2024:

"This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.112 dated 24.06.2023 under Sections 363/366-A of IPC registered at Police Station Guruharshai, District Ferozepur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of affidavits dated 23.08.2023 and 10.04.2024 (Annexures P-2 & P-3).

Notice of motion for 05.07.2024.

At this stage, on the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab, accepts notice on behalf of respondent No.1-State and Mr. Naveen Sharma, Advocate accepts notice for respondents No.2 & 3 and files his vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

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 i.e.
05.07.2024.*

*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 FIR No.112 dated 24.06.2023 under Sections 363/366-A of IPC registered at Police Station Guruharshai, District Ferozepur (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

July 05, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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