



259 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25719-2024

Date of decision: 04.07.2024

HARMAN SINGH ALIAS HARMANJEET SINGH AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Naresh Paul Chandel, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

None for respondent Nos.2 and 3.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.80 dated 26.08.2023 under Sections 363, 366, 120-B of IPC, registered at Police Station Fatehgarh Churian, Police District Batala, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 10.05.2024 (Annexure P-2).

2. The following order was passed on 21.05.2024 :-

"This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.80 dated 26.08.2023 under Sections 363, 366, 120-B of IPC, registered at Police Station Fatehgarh Churian, Police District Batala, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 10.05.2024 (Annexure P-2).

Notice of motion for 04.07.2024.

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. Ritesh K. Sharma, Advocate accepts notice for respondents No.2 and 3 and files his Vakalatnama, which is taken

on record. 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.

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

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 No.80 dated 26.08.2023 under Sections 363, 366, 120-B of IPC, registered at Police Station Fatehgarh Churian, Police District Batala, District Gurdaspur (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

July 04, 2024
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(HARPREET SINGH BRAR)
JUDGE

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