



CRM-M-27022-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

270

CRM-M-27022-2024

DATE OF DECISION: 01.08.2024

RAJDEEP SINGH AND ORS.

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present Mohd. Jameel, Advocate, for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Ms. Suman Bishnoi, Advocate, for respondents no.2 and 3.

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.61 dated 10.07.2021 registered under Sections 498-A/406 of Indian Penal Code, 1860 at Police Station Sandaur, District Malerkotla (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 18.05.2024 (Annexure P-2).

2. The following order was passed on 27.05.2024:

"This petition has been filed for quashing of FIR No. 61 dated 10.07.2021 registered under Sections 406, 498-A of IPC at Police Station Sandaur, District Malerkotla along with all consequential proceedings arising therefrom, on the basis of compromise dated 18.05.2024 (Annexure P-2) arrived at between the parties.

Counsel for the petitioner has mentioned in memo of parties of the petition that the petitioners have not been declared as proclaimed persons.

Notice of motion.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab accepts



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notice on behalf of respondent No.1-State and Ms. Jasveer Kaur, Advocate accepts notice on behalf of respondents No.2 & 3 and has filed her vakalatnama. The same is taken on record. She has admitted the factum of compromise effected between the parties.

*The parties and Investigating Officer are directed to appear before the Illaqa Magistrate/trial Court on **02.07.2024** or any other future date as per its convenience or on request of the parties for getting their statements recorded with regard to the compromise. However, it is made clear that no further adjournment shall be granted to the parties for that purpose. The Illaqa/Duty Magistrate shall submit the report on or before the next date of hearing. The report be forwarded to this Court 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/proclaimed person(s), 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 pending;*
- 4. if the compromise is genuine, voluntary and out of free will of the parties.*
- 5. Whether any other criminal case pending against the accused.*

*Report of Illaqa/Duty Magistrate be awaited for **01.08.2024.**"*

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**

(3) RCR (CrI.) 1052, this petition is allowed and FIR No. 61 dated 10.07.2021 registered under Sections 498-A/406 of Indian Penal Code, 1860 at Police Station Sandaur, District Malerkotla and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

01.08.2024
mamta

(HARPREET SINGH BRAR)
JUDGE

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