



268 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28800-2024 (O&M)
Date of decision: 09.07.2024

RANA SINGH AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Abhishek Sahu, Advocate for
Mr. Brijeshwar Singh Bhalla, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Ms. Amarjot Kaur, 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.66 dated 15.04.2024 under Sections 354-D, 324, 34 of IPC (later on added Sections 326 and 354-B of IPC and Section 8 of POCSO Act) registered at Police Station Dharamkot, District Moga (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. The following order was passed on 31.05.2024:

"This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.66 dated 15.04.2024 under Sections 354-D, 324, 34 of IPC (later on added Sections 326 and 354-B of IPC and Section 8 of POCSO Act) registered at Police Station Dharamkot, District Moga (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

Notice of motion.

At this stage, on the asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent No.1-State and Ms. Abhilasha Kainth, Advocate accepts notice for respondent Nos.2 and 3 and files her power of attorney and admits

to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

Adjourned to 09.07.2024.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within four weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get recorded their statements regarding compromise and after recording their statements, learned trial Court/Illaqa 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. 09.07.2024.

A copy of the order be sent to learned trial Court/Illaqa 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 (CrL.) 1052**, this petition is allowed and FIR No.66 dated 15.04.2024 under Sections 354-D, 324, 34 of IPC (later on added Sections 326 and 354-B of IPC and Section 8 of POCSO Act) registered at Police Station Dharamkot, District Moga (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

July 09, 2024
Ajay Goswami

- (i) Whether speaking/reasoned
(ii) Whether reportable

(HARPREET SINGH BRAR)
JUDGE

Yes/No
Yes/No