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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31501-2023 (O&M)
Date of decision: 20.03.2024

Amit Kumar @ Amit Thakur and another
...Petitioners

Versus

State of Punjab and another
...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Mr. M.S. Rana, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Ms. Nisha Rana, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J.

CRM-12872-2024

The prayer in the present application filed under Section 482 Cr.P.C. is for modification in the head note as well as prayer clause of the main petition.

Vide order dated 14.02.2024, this Court directed the parties to get their statements recorded in support of the compromise.

Learned counsel for the applicants-petitioners submits that

inadvertently, a mistake has occurred, as correct Sections are not mentioned in the head note and prayer clause of the main petition. It is further submitted that when the parties appeared before the trial Court, they realize their mistake and as such present application has been filed, with a prayer to replace Sections 325, 323, 148, 149 IPC with Sections 323, 325, 34, 201 IPC.

Accordingly, the present application is allowed, as prayed for. Amended head note and prayer clause are taken on record.

CRM-M-31501-2023

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.0250 dated 27.09.2022 registered under Sections 325, 323, 34, 201 of Indian Penal Code, 1860 (for short 'IPC'), at Police Station Model Town, District Hoshiarpur and all subsequent proceedings arising therefrom in view of the compromise dated 25.11.2022 (Annexure P-2).

2. The following order was passed on 14.02.2024: -

“Service is already complete.

Parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of two weeks or any other date convenient to the trial Court/Illaq Magistrate to get their statements recorded regarding the compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 20.03.2024.

A copy of this 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 (Crl.) 1052*, this petition is allowed and FIR No.0250 dated 27.09.2022 registered under Sections 325, 323, 34, 201 IPC, at Police Station Model Town, District Hoshiarpur and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

[HARPREET SINGH BRAR]
JUDGE

20.03.2024
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No