



IPC and he has placed reliance upon the ratio of law as laid down in the judgment of the Hon'ble Supreme Court passed in 'The State of Madhya Pradesh Vs. Laxmi Narayan and others' 2019 (5) SCC 688, to contend that once the factual ingredients are not available on record and no offence under Section 306 of IPC is made out, the FIR on the basis of compromise can be quashed.

Notice of motion for 08.08.2024.

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. Supneet Singh, Advocate accepts notice for respondent No.2 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. 08.08.2024.

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. However, perusal of the report indicates that petitioner No.4 has not appeared for recording his statement in support of compromise.

4. Learned counsel for respondent No.2 submits that consent of respondent No.2, being complainant, is essential for quashing of FIR (supra) on the basis of compromise. Petitioner No.4 is an accused and others have already appeared. As such, he has no objection in case, FIR (surpa) is quashed.

5. 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.58 dated 16.04.2022 under Section 306 of IPC registered at Police Station Pasyana, District Patiala (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

August 08, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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