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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-35231-2022 (O&M)  
Date of decision: 06.05.2024

ABHISHEK AND ANOTHER

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Satish Kumar, Advocate for  
Mr. Lupil Gupta, Advocate  
for the petitioners.

Mr. Subhash Godara, Addl. AG Punjab.

Mr. Praduman Krishan, Advocate  
for respondents No. 2 and 3.

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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. 119 dated 03.06.2022 registered under Sections 363, 366-A, 120-B of Indian Penal Code at Police Station City 1, Abohar District Fazilka and all subsequent proceedings arising therefrom on the basis of compromise dated 21.06.2022 (Annexure P-2).

2. The following order was passed on 02.04.2023:

*“Instant petition has been filed under Section 482 of Cr.P.C. seeking quashing of the FIR No. 119 dated 03.06.2022, registered under Sections 363, 366-A, 120-B of the Indian Penal Code at Police Station City 1 Abohar, District Fazilka (Annexure P-1) and all subsequent proceedings arising out of the same, on the basis of compromise dated 21.06.2022 (Annexure P-2).*

*In the meantime, 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. 05.05.2024.*

A copy of this 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. Learned counsel for the petitioners relies upon the ratio of law as laid down by Full Bench of Delhi High Court passed in **Court on its Own Motion (Lajja Devi) versus State 2012(4) CCR 72** to contend that in view of the ratio of law laid down in **Court on its Own Motion (Lajja Devi) (supra)**, the FIR(supra) can be quashed on the basis of compromise.
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. 119 dated 03.06.2022 registered under Sections 363, 366-A, 120-B of Indian Penal Code at Police Station City 1, Abohar District Fazilka and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

May 06, 2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

(i)

Whether speaking/reasoned

Yes/No

(ii)

Whether reportable

Yes/No