

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

250

CRM-M No.39183 of 2021

Date of Decision: 27.02.2024

Anoop Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Sherry K. Singla, Advocate for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Vishal Sharma, Advocate for respondent No. 3.

HARPREET SINGH BRAR, J.(ORAL)

1. Prayer in the present petition filed under Section 482 of Code of Criminal Procedure is for quashing of FIR bearing No.177 dated 09.11.2019 registered under Section 409 of IPC at Police Station Maur, District Bathinda and all the subsequent proceedings arising therefrom on the basis of resolution No.3 dated 15.01.2020 (Annexure P-2).

2. The following order was passed on 20.01.2024:

“Prayer in the present petition filed under Section 482 of Code of Criminal Procedure is for quashing of FIR bearing No.177 dated 09.11.2019 registered under Section 409 of IPC at PS Maur, District Bathinda and all the subsequent proceedings arising therefrom on the basis of resolution No.3 dated 15.01.2020 (Annexure P-2).

Learned counsel for the petitioner inter alia submits that the complainant society has once again reiterated the compromise by passing a fresh resolution and nothing is due towards the petitioner.

Learned counsel for respondent No.3 submits that he is not aware of any fresh resolution. However, the earlier resolution dated 15.01.2020 (Annexure P-2) is already on record.

Learned State counsel opposes the prayer made in the present

compounded.

Learned counsel for the petitioner relies upon the ratio of law laid down in Mrs. Poonam Khanna vs. State and others 2018(2) AD (Delhi) 372.

Now 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 recorded their statements 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. 27.02.2024.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

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 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 bearing No.177 dated 09.11.2019 registered under Section 409 of IPC at Police Station Maur, District Bathinda and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

27.02.2024

Rajeev (rvs)

(HARPREET SINGH BRAR)

JUDGE