

272            IN THE HIGH COURT OF PUNJAB AND HARYANA  
                 CHANDIGARH

**Date of Decision: 14.03.2024**

## ...Petitioners

V/S

## ...Respondents

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Gaurav Singh, Advocate for  
Mr. V.P.S.Mithewal, Advocate  
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Vikram Satpal Anand, Advocate  
for respondent No. 2.

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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. 31 dated 22.04.2012 registered under Sections 326, 323, 342, 148 and 149 of Indian Penal Code (Sections 148 and 149 of IPC deleted and Sections 307/34 of IPC added later on) at Police Station City Ahmedgarh, District Sangrur and all subsequent proceedings arising therefrom in view of the compromise dated 18.07.2022 (Annexure P-2).

2. The following order was passed on 14.02.02024:

***“CRM-6051-2024***

*This is an application for restoration of the main petition which was dismissed for non-prosecution vide order dated 16.01.2024 passed by this Court.*

*Learned counsel for the applicant/petitioners submits that the main case bearing CRM-M No.37413 of 2022 was dismissed for non-prosecution. He inter alia contends that due to heavy roster, the main case could not*

*be taken up for hearing and the same was adjourned to 16.01.2024. On 16.01.2024, he was out of station due to personal difficulty, due to which, he could not appear. He further submits that non-appearance of arguing counsel for the petitioners was not intentional and great prejudice would be caused to the petitioners if the main case is not decided on merits.*

*In view of the grounds pleaded in the application, the present application is allowed and the main petition is restored to its original number and taken up on board today itself.*

*CRM stands disposed of.*

**CRM-M-37413-2022**

*This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.31 dated 22.04.2012 under Sections 326/323/342/148/149 of IPC (Sections 148/149 of IPC were deleted and Sections 307/34 of IPC were added later on) registered at Police Station City Ahmedgarh, District Sangrur along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 18.07.2022 (Annexure P-2). Notice of motion. 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. V.S. Anand, Advocate accepts notice for respondent No.2. Copy of the paper book be supplied to them during the course of day.*

*Service is complete.*

*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 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. 14.03.2024.*

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

*Registry is directed to comply with the order dated 24.08.2022 passed by this Court.”*

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. 31 dated 22.04.2012 registered under Sections 326, 323, 342, 148 and 149 of Indian Penal Code (Sections 148 and 149 of IPC deleted and Sections 307/34 of IPC added later on) at Police Station City Ahmedgarh, District Sangrur and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

**(HARPREET SINGH BRAR)**  
**JUDGE**

14.03.2024  
*Ajay Goswami*

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No