

Date of decision: 06.03.2024

...PETITIONERS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

Present: Mr. Randeep Singh, Advocate for
Mr. Vipin Mahajan, Advocate for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

None for respondent Nos.2 to 6.

HARPREET SINGH BRAR J. (ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.95 dated 22.09.2019 registered under Sections 326, 325, 323, 324, 506, 148, 149 of IPC at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 23.11.2022 (Annexure P-2).

2. The following order was passed on 15.11.2023 :-

“Short reply by way of affidavit of Maninder Pal Singh, PPS, Deputy Superintendent of Police, Sub Division Dera Baba Nanak, Police District Batala, on behalf of respondent No.1-State has been filed in Court today. The same is taken on record. Copy thereof supplied to learned counsel for the petitioners.

Learned counsel for the petitioners submitted that the matter has already been compromised between the parties and the subject-matter of the present dispute does not fall in the category of any serious or heinous offence.

In view of the above, the parties are directed to appear before the Illaqa Magistrate/trial Court for recording their respective statements with regard to compromise/settlement on 15.12.2023.

The Illaqa Magistrate/trial Court is directed to submit a report along with copies of statements of the parties on or before the next date of hearing containing the following information as well:-

- (i) Number of persons arrayed as accused in FIR;*
- (ii) Whether any accused is proclaimed offender?*
- (iii) Status of trial/proceedings.*
- (iv) Whether the compromise is genuine, voluntary, and without any coercion or undue influence.*

List on 06.03.2024, for awaiting the report.”

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 No.95 dated 22.09.2019 registered under Sections 326, 325, 323, 324, 506, 148, 149 of IPC at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

March 06, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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