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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35692-2024 (O&M)
Date of decision: 14.10.2024

Mani Nakra @ Mani and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Ms. Navneet Kaur, Advocate
for the petitioners.

Mr. Subhash Godara, Addl. A.G., Punjab.

Mr. Sumit Kalra, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of GD/DDR No.38 dated
03.03.2023, registered at Police Station Division No.8, Ludhiana, District
Ludhiana (Annexure P-1), in FIR No.37 dated 26.02.2023 under Sections
323, 324, 506, 149, 34 of the Indian Penal Code, 1860 (for short 'IPC'),
registered at Police Station Division No.8, Ludhiana, District Ludhiana



(Annexure P-5) and all subsequent proceedings arising therefrom in view of the compromise dated 14.08.2023 (Annexure P-3).

2. Learned counsel for the petitioners, *inter alia*, contends that it is a case of version and cross-version. The FIR (*supra*) was registered on 26.02.2023 and the impugned GD/DDR was registered on 03.03.2023. Thereafter, both the parties have amicably settled their dispute. The accused in the FIR case approached this Court by filing CRM-M-65080-2023 and vide order dated 01.02.2024, the same was allowed in view of the compromise dated 14.08.2023, by passing the following order: -

“1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.037 dated 26.02.2023 registered under Sections 323, 324, 506, 149, 34 of IPC (Section 326 IPC added later on) at Police Station Division No.8, District Ludhiana and all subsequent proceedings arising therefrom in view of the compromise dated 14.08.2023 (Annexure P-2).

2. The following order was passed on 22.12.2023:-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.037 dated 26.02.2023 under Sections 323, 324, 506, 149, 34 of IPC (Section 326 IPC added later on) registered at Police Station Division No.8, Ludhiana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 14.08.2023 (Annexure P-2).

Notice of motion.

At this stage, on the asking of the Court, Mr. I.P.S. Sabharwal, DAG, Punjab accepts notice on behalf of respondent No.1-State and Ms. Navneet Kaur, Advocate accepts notice for respondent No.2 and files her power of attorney and admits to the factum of

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compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

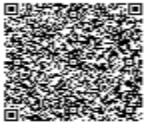
Now the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get recorded their statements regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate 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. 01.02.2024.

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 No.037 dated 26.02.2023 registered under Sections 323, 324, 506, 149, 34 of IPC (Section 326 IPC added later on) at Police Station Division No.8, District Ludhiana and all subsequent proceedings arising out of the same are quashed, qua the petitioners.”*

3. Learned State counsel, on instructions from ASI Sunil Kumar, affirms the factum of compromise between the parties and quashing of FIR



(*supra*).

4. Learned counsel for respondent No.2 submits that since the matter has been compromised between the parties, he has no objection, in case the cross-version case registered vide GD/DDR (*supra*) is quashed.

5. In view of the aforesaid facts and circumstances 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 GD/DDR No.38 dated 03.03.2023, registered at Police Station Division No.8, Ludhiana, District Ludhiana (Annexure P-1), in FIR No.37 dated 26.02.2023 under Sections 323, 324, 506, 149, 34 of IPC, registered at Police Station Division No.8, Ludhiana, District Ludhiana and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

[HARPREET SINGH BRAR]
JUDGE

14.10.2024
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No