

253 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35735-2024 (O&M)
Date of Decision: 29.08.2024

HARDEEP KUMAR RANGA
V/S
STATE OF PUNJAB AND ANOTHER
...PETITIONER
...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. R.S. Dhillon, Advocate
for Ms. Gagandeep Kaur, Advocate for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

Mr. Barjinder Singh, Advocate for
Ms. Bhupinder Kaur Bhangu, Advocate for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 528 of BNNS Act, 2023 seeking quashing of FIR No.198 dated 10.12.2021 under Sections 498-A/406 of IPC registered at Police Station City-1, Sangrur, District Sangrur (Annexure P1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 15.07.2024 (Annexure P-2).

2. The following order was passed on 29.07.2024:

“This petition has been filed under Section 528 of BNNS Act, 2023 seeking quashing of FIR No.198 dated 10.12.2021 under Sections 498-A/406 of IPC registered at Police Station City-1, Sangrur, District Sangrur (Annexure P1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 15.07.2024 (Annexure P-2).

Notice of motion for 29.08.2024.

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 Ms. Bhupinder Kaur Bhangu, Advocate accepts notice for respondent No.2 and files his power of attorney and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks



2

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. 29.08.2024.

A copy of the order be sent to learned trial Court/Illaq 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. 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.198 dated 10.12.2021 under Sections 498-A/406 of IPC registered at Police Station City-1, Sangrur, District Sangrur (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

5. Every day, numerous cases are listed, in which the criminal proceedings are sought to be quashed on the basis of compromise. Parties, who initially set the criminal law machinery into motion, later renege on pursuing, the criminal proceedings and arrive at an amicable settlement with the offending party, keeping in view common concern and collective benefit. The entire exercise, right from the registration of the FIR to the final recording of the statements before the concerned Magistrate, results in a substantial expenditure of judicial resources and takes up considerable judicial time.



6. This Court is of the considered opinion that in such cases and for the good of larger public, the parties can be burdened with nominal costs to plant trees bearing in mind the rising pollution levels, diminishing forest cover and notable changes in the climate, which require us to be more conscious of our environment and take active steps to mitigate the damage. It is often said that the best time to plant a tree was 20 years ago, and the next best time is now. Planting of more trees would not only provide fresh clean air but also assist in preventing soil erosion and providing a habitat to pollinators like bees, birds etc. The entire exercise would be beneficial to us as well as our future generations.

7. As such, the Principal Secretaries, Department of Forests, Punjab and Haryana as well as the Chief Conservator of Forests, Union Territory, Chandigarh are requested to send their suggestions on or before the next date of hearing for the purpose of devising a mechanism in order to streamline the tree plantation process and ensuring that the litigants are not put to any inconvenience on account of a convoluted and cumbersome procedure.

8. In view of above, list on 06.09.2024 for further consideration.

(HARPREET SINGH BRAR)
JUDGE

29.08.2024
Ajay Goswami

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