



CRM-M-36324-2024 (O&M)

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240 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-36324-2024 (O&M)

Date of Decision: 02.09.2024

NIRMAL SINGH AND OTHERS

...PETITIONERS

Versus

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Devender Kumar, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Amarjit Beniwal, Advocate
for respondent Nos. 2 and 3.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of cross-case/GD No.03 dated 04.04.2021 under Sections 323, 506, 148, 149 of IPC, in FIR No.58 dated 02.04.2021 under Sections 323, 354, 148, 149 of IPC, both registered at Police Station Nakodar Sadar, District Jalandhar Rural (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 21.07.2024 (Annexure P-2).

2. The following order was passed on 01.08.2024:

"This petition has been filed under Section 482 Cr.P.C. seeking quashing of cross-case/GD No.03 dated 04.04.2021 under Sections 323, 506, 148, 149 of IPC, in FIR No.58 dated 02.04.2021 under Sections 323, 354, 148, 149 of IPC, both registered at Police Station Nakodar Sadar, District Jalandhar Rural (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 21.07.2024 (Annexure P-2).

Learned counsel for the petitioners submits that in view of the law laid down by the Hon'ble Supreme Court in Jayrajsinh Digvijaysinh Rana Vs. State of Gujrat and another, 2012(4) RCR (Crl.)



589 and this Court in Parambir Singh Gill Vs. Malkiat Kaur, 2010(1) RCR (Crl.) 256, partial compromise is permissible.

Notice of motion for 02.09.2024.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Karan Singh, Advocate accepts notice for respondents No.2 & 3 and files Power of Attorney, which is taken on record. 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 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.

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 cross-case/GD No.03 dated 04.04.2021 under Sections 323, 506, 148, 149 of IPC, in FIR No.58 dated 02.04.2021 under Sections 323, 354, 148,

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Rural (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)

JUDGE

02.09.2024

Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No