

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-38347-2023

Date of decision: 22.04.2024

SUKHPAL SINGH

....PETITIONER

Versus

STATE OF PUNJAB AND ORS

....RESPONDENTS

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

Present: - Mr. Imran Farooqi, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Naveen Kumar, Advocate
for respondent No.2.

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. 202 dated 25.11.2020 registered under Sections 354 and 457 of Indian Penal Code at Police Station Sadar Ahmedgarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 24.07.2023 (Annexure P-2).

2. The following order was passed on 07.08.2023:-

“Learned counsel for the petitioner refers to Annexure P-2 dated 24.7.2023 to contend that a compromise has been effected between the parties and prays for quashing of FIR No.202 dated 25.11.2020, under Sections 354 and 457 IPC, registered at Police Station Sadar Ahmedgarh, District Sangrur (Annexure P-1).

Notice of motion for 03.11.2023.

At the asking of the Court, Mr. Madhur Sharma, AAG,

Punjab accepts notice on behalf of the respondent No.1-

State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

At this stage, Mr. Naveen Kumar, Advocate causes representation on behalf of respondents No.2 and 3 and files his Power of Attorney, which is taken on record. Learned counsel for respondents No.2 and 3 admits the factum of compromise.

Accordingly, the private parties are directed to appear before the trial Court/Illaq Magistrate on 28.8.2023 for recording their statements with regard to compromise/settlement. Trial Court/Illaq Magistrate is directed to submit a report on or before the next date of hearing containing the following information :-

- 1. Number of persons arrayed as accused in FIR.*
- 2. Whether any accused is proclaimed offender.*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence.*
- 4. Whether the accused persons are involved in any other case or not.*
- 5. The trial Court is also directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR.*

A copy of the report be also sent through fax to the Registrar Judicial of this Court.

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***

231

2024:PHHC:054145

2007 (3) RCR (Crl.) 1052, this petition is allowed and FIR No. 202 dated 25.11.2020 registered under Sections 354 and 457 of Indian Penal Code at Police Station Sadar Ahmedgarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 24.07.2023 (Annexure P-2) all subsequent proceedings arising out of the same are quashed, qua the petitioner.

22.04.2024
Anu

(HARPREET SINGH BRAR)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |