



08.05.2024 or any other future date as per its convenience or on request of the parties for getting their statements recorded with regard to the compromise. However, it is made clear that no further adjournment shall be granted to the parties for that purpose. The Illaqa/Duty Magistrate shall submit the report on or before the next date of hearing. The report be forwarded to this Court specifying the following:-

- 1. The number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/proclaimed person(s), in the case;*
- 2. the name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*
- 3. the stage of trial/proceedings pending;*
- 4. if the compromise is genuine, voluntary and out of free will of the parties.*
- 5. Whether any other criminal case pending against the accused.*

Report of Illaqa/Duty Magistrate be awaited for 08.07.2024.”

3. In compliance of the aforesaid order and order dated 08.07.2024, 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. A perusal of the report indicates that respondent No.3 has not recorded his statement in support of compromise.

4. Learned counsel for respondent Nos.2 to 4 submits that the statement of respondent No.3 is currently residing abroad, therefore, his statement could not be recorded and he has clear instructions with regard to the FIR (supra) that respondent No.3 has no objection if the same be quashed.



5. Furthermore, a perusal of the report indicates that complainant Harpreet Singh @ Harpreet Singh Arora and other injured Rimple i.e. respondent Nos.2 and 4 have already appeared and recorded their statements in support of the compromise and no useful purpose would be served by keeping the proceedings alive as compromise has been effected and there is no chance of conviction. It is indicated in the report that during the pendency of the present petition, petitioner No.2, namely, Bhupinder Singh has expired on 13.04.2023.

6. In view of the submission made qua petitioner No.2, in the report of the concerned Court, present petition stands abated qua petitioner No.2, namely, Bhupinder Singh and 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.46 dated 16.05.2022 registered under Sections 186, 353, 332, 354-B, 382, 307, 148 and 149 of IPC at Police Station Badli Ala Singh, District Fatehagarh Sahib (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the remaining petitioners i.e. petitioner Nos.1, 3 and 4.

August 09, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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