

293 IN THE HIGH COURT OF PUNJAB AND HARYANA  
CHANDIGARH

**CRM-M-41477-2023 (O&M)**  
**Date of Decision: 22.02.2024**

## ...Petitioners

V/S

## ...Respondents

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

Present: None for the private parties.

Mr. Rishabh Singla, AAG Punjab.

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**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. 58 dated 09.05.2018 registered under Sections 324, 506 and 34 of Indian Penal Code at Police Station Bassi Pathana, District Fatehgarh Sahib and all subsequent proceedings arising therefrom in view of the compromise 28.07.2023 (Annexure P-2).

2. The following order was passed on 22.08.2023:

*“This petition is for quashing of FIR No.58 dated 09.05.2018 registered under Sections 324, 506, 34 IPC, at Police Station Bassi Pathana, District Fatehgarh Sahib, along with all the subsequent proceedings arising therefrom, on the basis of compromise dated 28.07.2023 (Annexure P-2).*

*Learned counsel for the petitioner submits that with the intervention of the respectable persons of the area, the matter has been compromised between the parties.*

*Notice of motion.*

*On the asking of this Court, Mr. C.L. Pawar, Addl. AG Punjab, accepts notice on behalf of the respondent-State.*

At this stage, Mr. Gunveer Kaur, Advocate,

*appears and files power of attorney on behalf of respondent No. 2, and does not dispute the factum of the compromise. The power of attorney is taken on record.*

*The parties are directed to appear before the Illaqa Magistrate/trial Court on 19.09.2023 or any other date convenient to the concerned Court, for getting their statements recorded with regard to the compromise. The Illaqa Magistrate/trial Court 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/P.O. 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;*
- 4. If the compromise is genuine, voluntary and out of free will of the parties;*

*Report of the Illaqa Magistrate/trial Court be awaited for 06.11.2023.”*

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. 58 dated 09.05.2018 registered under Sections 324, 506 and 34 of Indian Penal Code at Police

Station Bassi Pathana, District Fatehgarh Sahib and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

22.02.2024  
Ajay Goswami

(HARPREET SINGH BRAR)  
JUDGE

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No