

CRM-M-41157-2024
Date of decision: 24.10.2024

RAVINDER SINGH

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

None for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.69 dated 12.03.2024 under Section 498-A, 406 and 323 of the Indian Penal Code, 1860, registered at Police Station Rama Mandi, District Police Commissionerate, Jalandhar, District Jalandhar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 17.07.2024 (Annexure P-2).

2. The following order was passed on 27.08.2024 :-

“The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.69 dated 12.03.2024, registered at Police Station Rama Mandi, District Police Commissionerate, Jalandhar, District Jalandhar under Sections 498-A, 406, 323 IPC on the basis of a compromise deed (Annexure P-2) executed between the parties.

The parties are alleged to have effected a compromise, as per the compromise deed, dated 17.07.2024 (Annexure P-2).

Notice of motion.



On the asking of the Court, Ms. Himani Arora, AAG, Punjab accepts notice on behalf of respondent No. 1-State and seeks time to file reply.

Ms. Kajal Garg, Advocate, accepts notice on behalf of respondent No. 2 and filed her memo of appearance in Court today, which is taken on record and she confirms about factum of compromise between the parties.

Copies of the petition be handed over to learned counsel for the respondents during the course of the day.

The parties are directed to appear before the trial Court/Illaq Magistrate up-to 30.09.2024 or recording of their statements. After recording the statements of all the accused, victim, complainant and injured if any, the trial Court/Illaq Magistrate shall send a report to this Court on the following facts well before the next date of hearing:- I. Whether a genuine compromise has been arrived at between all the affected parties

II. Whether the complainant, all the injured/victim and all the accused are party to the compromise?

III Whether during investigation, any additional accused has been added and he/she is a party to the compromise?

IV Whether any accused is a Proclaimed Offender?

V Whether after the registration of the FIR any offence was added or deleted during investigation?

VI Whether investigation is pending against any of the accused or any accused has been declared as innocent.

Adjourned to 24.10.2024 for awaiting the report of the trial Court.

In the meantime, power of attorney of learned counsel for respondent No.2 be filed."

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.69 dated 12.03.2024 under Section 498-A, 406 and 323 of the Indian Penal Code, 1860, registered at Police Station Rama Mandi, District Police Commissionerate, Jalandhar, District Jalandhar (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

October 24, 2024
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(HARPREET SINGH BRAR)
JUDGE

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