

210(2)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47048-2022 (O&M)

Date of decision: 03.05.2024

BALDEV SINGH AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Liaqat Ali, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG Punjab.

Mr. Sukhmeet Singh, Advocate
for respondents No. 2 to 6.

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. 266 dated 19.11.2019 registered under Sections 341/323/324/506/427/148/149 of Indian Penal Code (Sections 325/326/354-A of IPC added later on) at Police Station Haibowal District Police Commissionerate Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise dated 17.09.2022 (Annexure P-2).

2. The following order was passed on 07.12.2022:

“Learned counsel for the petitioners has submitted that the parties have compromised the matter and as such, the present FIR is liable to be quashed.

Learned counsel for respondents No.2 to 6 has endorsed the contention raised by learned counsel for the petitioners and has not denied the factum of compromise effected between the parties.

Adjourned to 28.03.2023.

Let the State file status report.

In the meanwhile, both the parties are directed to appear before the concerned Illaqa/Duty Magistrate on 20.12.2022 for recording their statements, who shall record their respective

statements with regard to the genuineness/correctness of the compromise and that the compromise is not the result of any fraud or misrepresentation and is the result of free will of the parties. It shall also be verified that besides the accused (petitioner) mentioned in the petition, there is no other accused in the FIR and the parties are not involved or declared proclaimed offender in any other criminal case.

The Illaqa/Duty Magistrate shall send his/her report through learned Sessions Judge concerned on or before the date fixed before this Court.”

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. 266 dated 19.11.2019 registered under Sections 341/323/324/506/427/148/149 of Indian Penal Code (Sections 325/326/354-A of IPC added later on) at Police Station Haibowal District Police Commissionerate Ludhiana and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

May 03, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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