



CRM-M-43016-2024

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247 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-43016-2024

Date of Decision: 03.10.2024

JARMAL SINGH ALIAS JARMANJIT SINGH AND OTHERS

...PETITIONERS

Versus

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. K.S. Sidhu, Advocate for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Amardeep Singh Punia, Advocate for
Mr. Abhaysher Singh, Advocate
for respondent No. 2 to 4.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 528 B.N.S.S. seeking quashing of FIR No.46 dated 02.06.2021 under Sections 323, 148, 149 of IPC (Sections 354, 354-B of IPC and Section 3 of SC/ST Act were added later on vide rapat No.23 dated 21.06.2021) registered at Police Station Lakho Ke Behram, District Ferozepur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 16.07.2024 (Annexure P-2).

2. The following order was passed on 02.09.2024:

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.46 dated 02.06.2021 under Sections 323, 148, 149 of the Indian Penal Code, 1860 (for short ‘IPC’) (Sections 354 & 354-A of IPC and Section 3 of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 were added later on vide rapat No.23 dated 21.06.2021), registered at Police Station Lakho Ke Behram, District Ferozepur (Annexure P-1) along with all subsequent proceedings



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arising therefrom on the basis of compromise dated 16.07.2024 (Annexure P-2).

Notice of motion for 03.10.2024.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Abhaysher Singh, Advocate accepts notice for respondents No.2 to 4 and files his Vakalat-nama, which is taken on record. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise effected 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



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(Sections 354, 354-B of IPC and Section 3 of SC/ST Act were added later on vide rapat No.23 dated 21.06.2021) registered at Police Station Lakho Ke Behram, District Ferozepur (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

03.10.2024
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No