



226 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48120-2022 (O&M)
Date of decision: 08.05.2024

AKASHDEEP SINGH

...PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. S.K. Choudhary, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

Mr. Gurmej Singh Bhinder, Advocate
for respondents No. 2 to 4.

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. 82 dated 15.07.2022 registered under Sections 186, 353, 332, 354-A of Indian Penal Code at Police Station Division No. 1, District Pathankot and all consequential proceedings arising therefrom on the basis of compromise dated 24.09.2022. (Annexure P-2).

2. The following order was passed on 17.10.2022:

"Notice of motion.

Mr.Navneet Singh, Sr. DAG, Punjab and Mr.G.S.Bhinder, Advocate, accept notice on behalf of respondent No.1 and respondents No.2 to 4 respectively.

Learned counsel for the petitioner undertakes to supply a complete set of the paper book to learned counsel for the respondents during the course of the day.

Through the present petition filed under Section 482 Cr.P.C. the petitioner seeks quashing of FIR No.82 dated 15.07.2022 registered under Sections 186, 353, 332 and 354-A



IPC at Police Station Division No.1, District Pathankot on the strength of a written compromise dated 24.09.2022 (Annexure P-2) entered into between the parties.

The petitioner as also respondents No.2 to 4 through their counsel are directed to appear before the Illaqa Magistrate/Trial Court on 02.11.2022 to get their statements recorded to the effect that the compromise has actually been arrived at between them. After recording of the statements, the Trial Court would furnish to this Court its report alongwith the recorded statements on or before the adjourned date, clearly opining therein with respect to the veracity of the compromise, if any, between the parties.

The Illaqa Magistrate/Trial Court would also apprise this Court whether all the accused are party to the compromise and whether any of the accused have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

To await the report of the Illaqa Magistrate/Trial Court adjourned to 16.02.2023.”

3. Thereafter, vide orders dated 06.02.2023 and 03.04.2024 of this Court, parties were again directed to record their statements. In compliance of the aforesaid orders, 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 (CrI.) 1052**, this petition is allowed and FIR No. 82 dated 15.07.2022 registered



Division No. 1, District Pathankot and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

May 08, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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