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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 16.10.2024

1. CRM-M-44634-2024 (O&M)

Gurpreet Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

2. CRM-M-44637-2024 (O&M)

Sukhdev Singh and others

...Petitioners

Versus

State of Punjab and others

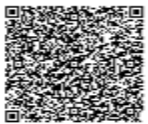
...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Mr. Nishant Sehgal, Advocate
for the petitioners (in CRM-M-44634-2024) and
for respondents No.2 to 4 (in CRM-M-44637-2024).

Mr. Karanjeet Singh Brar, Advocate
for the petitioners (in CRM-M-44637-2024) and
for respondent No.2 (in CRM-M-44634-2024).

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Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J.

1. This order shall dispose of aforementioned two petitions filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.27 dated 20.03.2023 under Sections 452, 323, 354, 148, 149 of the Indian Penal Code, 1860 (for short 'IPC') and its cross-version case/rapat No.19 dated 21.03.2023 under Sections 452, 324, 379, 323, 148, 149, 120-B of IPC (Section 326 of IPC was added later on vide GD No.15 dated 24.03.2023), both registered at Police Station Ghall Khurd, District Ferozepur along with all subsequent proceedings arising therefrom on the basis of compromise dated 03.08.2024.

2. The following order was passed on 09.09.2024 in both the petitions: -

“These petitions have been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.27 dated 20.03.2023 under Sections 452, 323, 354, 148, 149 of the Indian Penal Code, 1860 (for short 'IPC') and its cross-version case/rapat No.19 dated 21.03.2023 under Sections 452, 324, 379, 323, 148, 149, 120-B of IPC (Section 326 of IPC was added later on vide GD No.15 dated 24.03.2023), both registered at Police Station Ghall Khurd, District Ferozepur along with all subsequent proceedings arising therefrom on the basis of compromise dated 03.08.2024.

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Notice of motion for 16.10.2024.

At this stage, on asking of the Court, Mr. Rishabh Singla, AAG Punjab accepts notice on behalf of respondent No.1-State and Mr. Karanjeet Singh Brar, Advocate accepts notice for respondent No.2 in CRM-M-44634-2024 and Mr. Nishant Sehgal, Advocate accepts notice on behalf of respondents No.2 to 4 in CRM-M-44637-2024 and file their respective Vakalatnamas, which are taken on record. Copy of the paperbook(s) be supplied to them during the course of day.

Service is complete.

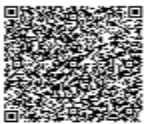
In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial 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.

Photocopy of this order be placed on the file of connected case.”

3. In compliance of the aforesaid order, separate reports in both the cases have 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.

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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*, both these petitions are allowed and FIR No.27 dated 20.03.2023 under Sections 452, 323, 354, 148, 149 of IPC and its cross-version case/rapat No.19 dated 21.03.2023 under Sections 452, 324, 379, 323, 148, 149, 120-B of IPC (Section 326 of IPC was added later on vide GD No.15 dated 24.03.2023), both registered at Police Station Ghall Khurd, District Ferozepur and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

[HARPREET SINGH BRAR]
JUDGE

16.10.2024
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No