



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217

CRM-M-44876-2024
Date of decision:29.10.2024

SAROJ RANI AND ANOTHER

..PETITIONER(S)

Versus

STATE OF PUNJAB AND ANOTHER

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kuldip Singh, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Sameydeen, Advocate
for respondent No.2.

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.9 dated 23.02.2024 under Sections 306/34 of IPC registered at Police Station Arif Ke, District Ferozepur (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 28.08.2024 (Annexure P-2).

2. The following order was passed on 25.09.2024:-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.9 dated 23.02.2024 under Sections 306/34 of IPC registered at Police Station Arif Ke, District Ferozepur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 28.08.2024 (Annexure P-2).



Learned counsel for the petitioners submits that in view of the law laid down by Hon'ble Supreme Court in 'Jayrajsinh Digvijaysinh Rana Vs. State of Gujarat and another' 2012(4) RCR (Crl.) 589 and this Court in 'Parambir Singh Gill Vs. Malkiat Kaur' 2010(1) RCR (Crl.) 256, partial compromise is permissible.

Notice of motion for 29.10.2024.

At this stage, on the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Sameydeen, Advocate accepts notice for respondent No.2 and files his memorandum of appearance and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day. Learned counsel appearing for respondent No.2 is directed to file his power of attorney on or before the next date of hearing.

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 above 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.9 dated 23.02.2024 under Sections 306/34 of IPC registered at Police Station Arif Ke, District Ferozepur (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

29.10.2024
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(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No