239 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-46387-2024
Date of decision: 21.10.2024

DAVINDER SINGH AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Rimplejeet Kaur, Advocate for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. P.S. Guliani, Advocate for respondent No.2.

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HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.75 dated 19.05.2024 under Sections 341/323/354/354-B/34 of IPC registered at Police Station Talwandi Sabo, District Bathinda (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 24.07.2024 (Annexure P-2).

2. The following order was passed on 18.09.2024 :-

> *"This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.75 dated 19.05.2024 under Sections 341/323/354/354-B/34 of IPC registered at Police Station Talwandi Sabo, District Bathinda (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 24.07.2024 (Annexure P-2).*
>
> *Notice of motion for 21.10.2024.*
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> *At this stage, on the asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent No.1-State and Mr. P.S. Guliani, Advocate accepts notice for respondent No.2 and files his power of attorney and admits to the factum of*

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compromise. 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/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa 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/Illaqa 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 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.75 dated 19.05.2024 under Sections 341/323/354/354-B/34 of IPC registered at Police Station Talwandi Sabo, District Bathinda (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

October 21, 2024
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(i) Whether speaking/reasoned Yes/No

(ii) Whether reportable Yes/No

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