



Counsel for the petitioner has mentioned in memo of parties of the petition that the petitioner has not been declared as proclaimed person.

Notice of motion.

Ms. Himani Arora, A.A.G, Punjab, accepts notice on behalf of respondents No.1 to 3-State and Ms. Gagandeep Kaur, Advocate accepts notice on behalf of respondent No.4 and has filed his vakalatnama. The same is taken on record. He has admitted the factum of compromise effected between the parties.

The parties along with victim and Investigating Officer are directed to appear before the Illaqa Magistrate/trial Court on 18.12.2023 for getting their statements recorded with regard to the compromise. The Illaqa/Duty Magistrate shall submit the report on or before the next date of hearing. The report be forwarded to this Court specifying the following:-

- 1. The number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/proclaimed person(s), in the case;*
- 2. the name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*
- 3. the stage of trial/proceedings pending;*
- 4. if the compromise is genuine, voluntary and out of free will of the parties.*
- 5. Whether any other criminal case pending against the accused.*

Report of Illaqa/Duty Magistrate be awaited for 22.01.2024.”

3. In compliance of order dated 30.04.2024 and 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.68 dated 04.08.2023 registered under Sections 363 and 366-A of IPC at Police Station Badhni Kalan, District Moga (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

August 13, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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