

GURVINDER SINGH @ POPPI @ GURVINDER PAL SINGH AND ANOTHER

V/S

...RESPONDENTS

Present: Mr. Naresh Jain, Advocate for the petitioners.

Mr. Ishan Thakur, Advocate for
Mr. Yadwinder Singh, Advocate
for respondent No.2.

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.150 dated 20.11.2019 registered under Sections 506, 427, 342, 341, 379-B, 148, 149, 323 of IPC at Police Station Khuhi Khera, Police District Fazilka (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 17.10.2022 (Annexure P-2).

2. The following order was passed on 14.11.2023 :-

“By filing this petition, quashing of FIR No.150 dated 20.11.2019 under Sections 506, 427, 342, 341, 379-B, 148, 149, 323 IPC, registered at Police Station Khuhi Khera, District Fazilka, and all other consequent proceedings arising therefrom has been sought on the basis of compromise.

Notice of motion.

Ms. Himani Arora, AAG, Punjab and Sh. Yadwinder Singh, Advocate accept notice on behalf of respondent No.1-State and respondent No.2 respectively.

Parties may appear before concerned Illaqa/Duty Magistrate on 13.12.2022 or on any other date convenient to Illaqa/Duty Magistrate and get their statements recorded with regard to the compromise. The original compromise shall be produced before Illaqa/Duty Magistrate. In the event of their statements being recorded, Illaqa/Duty Magistrate will send copies of the same to this Court before the next date of hearing along with his report:

i)to record the statements of all the concerned parties with regard to the genuineness and validity or otherwise of the compromise;

ii)whether challan is presented in the Court? If so, against how many accused;

iii)status/stage of the trial/case;

iv)whether any of the accused was declared proclaimed offender at any stage of trial;

v)how many accused are facing the trial;

vi)whether any accused is yet to be challaned;

vii)to record the statement of Investigating Officer with regard to points No. (ii),(iii),(iv) (v) and (vi) as above.

Report be sent through District and Sessions Judge, before the next date of hearing.

Adjourned to 29.03.2023.”

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.150 dated 20.11.2019 registered under Sections 506,

427, 342, 341, 379-B, 148, 149, 323 of IPC at Police Station Khuhi Khera, Police District Fazilka (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

March 06, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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