

CRM-M-53344-2022 (O&M)
CRM-M-53828-2022 (O&M)

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2024:PHHC:064617



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 09.05.2024

1. CRM-M-53344-2022 (O&M)

Amandeep Singh and another

... Petitioners

Vs.

State of Punjab and another

... Respondents

2. CRM-M-53828-2022 (O&M)

Mast Singh and others

... Petitioners

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rahul Soi, Advocate
for the petitioners (in CRM-M-53344-2022) and
for respondent No.2 (in CRM-M-53828-2022).

Mr. Rahul Dhanda, Advocate for
Mr. Ritesh Aggarwal, Advocate
for the petitioners (in CRM-M-53828-2022) and
for respondent No.2 (in CRM-M-53344-2022).



Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J.

1. This judgment shall dispose of aforementioned two petitions seeking quashing of FIR No.0097 dated 01.09.2022 under Sections 354 & 323 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Bareta, District Mansa and its cross-version case registered vide GD No.042 dated 01.09.2022 under Sections 341, 323, 506, 34 of IPC, at Police Station Bareta, District Mansa as well as all subsequent proceedings arising therefrom on the basis of compromise dated 21.10.2022 effected between the parties.
2. On 08.04.2024, the following order was passed by this Court in both the petitions:-

“Both the cases are version and cross-version. For the sake of brevity facts are taken from CRM-M-53344 of 2022.

This petition has been filed under Section 482 Cr.P.C. seeking quashing of G.D. No.042 dated 01.09.2022 under Sections 341/323/506/34 IPC and FIR No.0097 dated 01.09.2022 under Sections 354/323 of IPC registered at Police Station Bareta, District Mansa along with all subsequent proceedings arising therefrom on the basis of compromise dated 21.10.2022 (Annexure P-3).

Adjourned to 09.05.2024.

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 recorded their statements 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 i.e. 09.05.2024.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.

A photocopy of this order be placed on the file of other connected case.”

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***, both these petitions are allowed and FIR No.0097 dated 01.09.2022 under Sections 354 & 323 of IPC, registered at Police Station Bareta,

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District Mansa and its cross-version case registered vide GD No.042 dated 01.09.2022 under Sections 341, 323, 506, 34 of IPC, at Police Station Bareta, District Mansa as well as all subsequent proceedings arising out of the same, are quashed qua the petitioners.

09.05.2024
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[HARPREET SINGH BRAR]
JUDGE

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