

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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**CRM-M No. 51308 of 2023
Date of Decision: 27.02.2024**

Jaswant Singh @ Ginda and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Arnav Udai Singh Ahlawat, Advocate for the petitioners.
Mr. Rishabh Singla, AAG, Punjab.
Mr. Fateh Singh Bhullar, Advocate for respondent No. 2

HARPREET SINGH BRAR, J.(ORAL)

1. This is a petition filed under Section 482 Cr.P.C. seeking quashing of case FIR No.0012 dated 05.02.2023, under Sections 323, 341, 148, 149 and 506 IPC, 1860 registered at Police Station Ladhuwal, District Police Commissionerate Ludhiana (Annexure P-1) and all other subsequent proceedings arising therefrom, on the basis of compromise dated 24.03.2023 (Annexure P-3).

2. The following order was passed on 10.10.2023:

“This is a petition filed under Section 482 Cr.P.C. seeking quashing of case FIR No.0012 dated 05.02.2023, under Sections 323, 341, 148, 149 and 506 IPC, registered at Police Station Ladhuwal, District Police Commissionerate Ludhiana (Annexure P-1) and all other subsequent proceedings arising therefrom, on the basis of compromise dated 24.03.2023 (Annexure P-3).

Learned counsel for the petitioners submits that the present is a case of version and cross-version and the parties have settled their dispute and entered into a compromise, which is reduced into writing and appended

along with the instant petition as Annexure P-3.

Notice of motion.

Mr. Sarabjit Singh Cheema, DAG, Punjab, puts in appearance on behalf of respondent No.1-State and waives service.

Mr. Fateh Singh Bhullar, Advocate, puts in appearance on behalf of respondent No.2 and has filed his Power of Attorney, which is taken on record. He affirms that the matter has been compromised between the parties and the complainant party does not wish to pursue the FIR in question.

In view of the above, both the parties are directed to appear before the concerned trial Court/Illaqa Magistrate/Duty Magistrate for recording their statements on 19.10.2023 or any other date convenient to the concerned Court. The statement of Investigating Officer be also recorded on the same day, who would also identify the parties appearing before the Court. The original compromise shall be produced before the Court at the time of recording statements of the parties.

The concerned Court is directed to submit a report on or before the next date of hearing, containing the following information:-

- 1. Number of persons arrayed as accused.*
- 2. Whether any accused is proclaimed person?*
- 3. Whether all the accused/petitioner(s) is/are appearing before the Court?*
- 4. Whether the compromise is genuine, voluntary and without any coercion or undue influence?*
- 5. Whether the accused/petitioner(s) is/are involved in any other FIR or not?*
- 6. The trial Court/Illaqa Magistrate/Duty Magistrate is also directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR.*

The State to file status report before the next date.

List on 13.12.2023.”

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.0012 dated 05.02.2023, under Sections 323, 341, 148, 149 and 506 IPC, 1860 registered at Police Station Ladhuwal, District Police Commissionerate Ludhiana (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

27.02.2024

(HARPREET SINGH BRAR)

Rajeev (rvs)

JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No