

Sr. No.283(02)

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

**CRM-M-51930-2023
Date of decision: 01st April, 2024**

SHINGARA SINGH @ SHANGARA SINGH AND ANOTHER
.....Petitioners
versus

STATE OF PUNJAB AND OTHERS
.....Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Lakhwinder Singh Mann, Advocate
for the petitioner.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

Dr. Hardeep Singh, Advocate for
Ms. Chhavi Sharma, Advocate
for respondents No.2 and 3.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.249 dated 10.11.2022, under Sections 323, 354, 458, 427, 34 IPC, 1860 (Section 201 IPC added later on), registered at Police Station Shahkot, District Jalandhar Rural (Annexure P-1), on the basis of compromise deed dated 11.09.2023 (Annexure P-2) between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that FIR was registered at the instance of respondent No.2-Jaswinder Kaur who is closely related to the petitioners. Shingara Singh (petitioner No.1) is the nephew of Jaswinder Kaur. With the intervention of the respectables, the parties have effected a compromise in order to live in peace and compromise deed dated 11.09.2023 (Annexure P-2) has been duly signed by the parties and even the Sarpanch of the Gram Panchayat, Bajwa Kalan (Jal.) has witnessed the said compromise. It is

further contended that no grievous injuries have been attributed to the petitioners and even none of the injured persons has received any grievous injury. It is further contended that in Para No.5 of the status report, filed by way of affidavit of Sh. Amandeep Singh, PPS, Deputy Superintendent of Police, Sub-Division Shahkot, Jalandhar, on behalf of respondent-State of Punjab, it has been mentioned that the complainant had disclosed at the time of registration of the FIR that the talks of compromise were going on, however, the same could not be effected at that point of time. It is further contended that now the dispute has been amicably settled *inter se* the parties and they want to live peacefully and end all their disputes.

[3] Learned counsel appearing on behalf of respondents No.2 and 3 has confirmed the factum of compromise between the parties.

[4] On 19.01.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 27.03.2024, received from the Judicial Magistrate, Ist Class, Nakodar, through the District & Sessions Judge, Jalandhar, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as “Proclaimed Offender” and he is not involved in any other criminal case.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] Keeping in view the facts and circumstances of the case and the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others**

consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No.249 dated 10.11.2022, under Sections 323, 354, 458, 427, 34 IPC, 1860, registered at Police Station Shahkot, District Jalandhar Rural (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, the respondents No.2 and 3 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed dated 11.09.2023 (Annexure P-2) are violated.

[10] Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

01st April, 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No