

The petitioners in both the petitions detailed hereinabove are seeking quashing of FIR No.38 dated 31.05.2020 (Annexure P-1) under Sections 419, 420, 465, 467, 468, 471, 120-B of the IPC pertaining to Police Station City Balachaur, District SBS Nagar, along with all subsequent proceedings arising therefrom.

Learned counsel submits that subsequent to registration of the FIR in question, with the intervention of respectables and wellwishers, the parties have ironed out their differences and arrived at an amicable settlement (Annexure P-2) dated 19.05.2023. He submits that in the circumstances, continuation of the FIR and consequential proceedings arising therefrom would not serve any useful purpose, and thus, the FIR in question be quashed.

Notice of motion.

On the asking of Court, Mr. Mohit Kapoor, Addl. Advocate General, Punjab who is present in Court, accepts notice on behalf of respondent No.1/State. Mr. Sunil Kumar Dahiya, Advocate puts in an appearance and files his power of attorney on behalf of respondent No.2 in both the petitions.

Learned counsel appearing for respondent No.2 does not dispute the submissions made by the counsel opposite with respect to the factum of compromise having indeed been effected between the parties.

He further does not oppose the prayer of the counsel representing the petitioners for quashing of the FIR in question on the basis of compromise so arrived at between the parties.

Adjourned to 22.03.2024.

Meanwhile, the parties are directed to present themselves before the trial Court/Illaq Magistrate on 26.02.2024 or any other date thereafter as may be convenient to the Court concerned, for getting their statements recorded with regard to the factum of compromise so effected between them. The trial Court/Illaq Magistrate is directed to record the statements of both the parties specifying the following:

i) The name of the complainant and all accused arrayed in the FIR; whether all of

them have appeared and made their respective statements in support of the compromise so effected between them;
ii) Whether any of the accused has been declared a Proclaimed Offender;
iii) The stage of trial/proceedings;
iv) If the compromise so arrived at between the parties is genuine, voluntarily and out of free will.
v) Criminal antecedents, if any, of the petitioners.

The trial court/Illaqa Magistrate is further directed to send a report alongwith statements of the parties with regard to the validity or otherwise of the compromise so effected between the parties.

A copy of this order be placed in the file of connected case.”

4. 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.
5. 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.0092 dated 10.02.2022 under Sections 323/324/34/506/509 of IPC registered at Police Station Old Industrial, District Panipat (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

March 22, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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