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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-50001-2024 (O&M)
Date of decision: 06.11.2024

Neeraj Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Mr. K.B.S. Gill, Advocate for
Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

Mr. Davinder Kumar, Advocate
for respondents No.2 & 3.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No.124 dated 25.09.2021 under Sections 363 & 366-A of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Nehianwala, District Bathinda (Annexure P-1) along with all subsequent proceedings arising therefrom on



the basis of compromise/agreement dated 26.09.2024 (Annexure P-2).

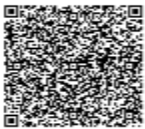
2. The following order was passed on 04.10.2024: -

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.124 dated 25.09.2021 under Sections 363/366-A of IPC registered at Police Station Nehianwala, District Bathinda (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise/agreement dated 26.09.2024 (Annexure P-2).

Notice of motion for 06.11.2024.

At this stage, on the asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent No.1-State and Mr. Davinder Kumar, Advocate accepts notice for respondent No.2 and files his memorandum of appearance and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day. Learned counsel appearing for respondent No.2 is directed to file his power of attorney on or before the next date of hearing. Learned counsel for the petitioner undertakes to secure the presence of respondent No.3 before the learned trial Court at the time of recording the statement.

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 their statements recorded 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.

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

3. In compliance of the aforesaid 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.124 dated 25.09.2021 under Sections 363 & 366-A of IPC, registered at Police Station Nehianwala, District Bathinda and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

[HARPREET SINGH BRAR]
JUDGE

06.11.2024
vishnu

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