

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

230

CRM-M No. 60196-2022
Date of Decision: 01.03.2024

Arjun Bagga

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Ashu Rana, Advocate for
Mr. Mitul S. Rana, Advocate for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Ms. Priya Sahoo, Advocate for
Ms. Nisha Rana, Advocate for respondents No. 2 and 3.

HARPREET SINGH BRAR, J.(ORAL)

1. Through the present petition, the petitioner is seeking quashing of the FIR No. 189 dated 20.12.2013, registered under Sections 307 and 34 of Indian Penal Code (later on converted into Sections 279, 337 and 338 of IPC) at Police Station Model Town, District Hoshiarpur and all subsequent proceedings arising therefrom in view of the compromise dated 22.10.2022 (Annexure P-2).

2. The following order was passed on 08.01.2024:

“Through the present petition, the petitioner is seeking quashing of the FIR No. 189 dated 20.12.2013, registered under Sections 307 and 34 of Indian Penal Code (Sections 279, 337 and 338 of IPC added later on) at Police Station Model Town, District Hoshiarpur.

In compliance of order dated 22.12.2022, status report dated

08.01.2024 by way of affidavit of Palwinder Singh PPS, Deputy

Rajeev Purohit
2024.03.04 15:49
I attest to the accuracy and
integrity of this document

Superintendent of Police, Sub-Division City Hoshiarpur has been filed by learned State counsel, which is taken on record.

A perusal of para No. 6 of the said status report indicates that during investigation, offence under Section 307 of IPC has been deleted and offences under Sections 279, 337 and 338 of IPC have been added in the present case. As such, learned counsel for the petitioner submits that once the offence under Section 307 of IPC has been deleted, the present FIR can be quashed on the basis of compromise.

In view of the above, the parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of 02 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 the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 01.03.2024.

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

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. 189 dated 20.12.2013, registered under Sections 307 and 34 of Indian Penal Code (later on converted into Sections 279, 337 and 338 of IPC) at Police Station Model Town, District

Hoshiarpur and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

01.03.2024
Rajeev (rvs)

(HARPREET SINGH BRAR)
JUDGE

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