

250-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49878-2019
Date of decision: 21.02.2024

GAURAV

...PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

None for respondent Nos.2 and 3.

HARPREET SINGH BRAR J. (ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.07 dated 15.01.2011 registered under Sections 323, 324, 341, 148 and 149 of Indian Penal Code at Police Station Division No.8, District Jalandhar and all subsequent proceedings arising therefrom in view of the compromise.

2. The following order was passed on 26.11.2019 :

“By filing this petition, quashing of FIR No.07 dated 15.01.2011, under Sections 323, 324, 341, 148 and 149 IPC, registered at Police Station Division No.8, District Jalandhar, along with all consequential proceedings, has been sought on the basis of compromise.

Notice of motion.

Ms.Monika Jalota, DAG, Punjab and Mr.Prince Pushpinder Rana, Advocate accept notice on behalf of State and respondents No.2 and 3, respectively.

Parties may appear before concerned trial Court/Area Judicial Magistrate on 29.11.2019 or on any other date convenient to trial court/Area Judicial

Magistrate and get their statements recorded with regard to the compromise. The original compromise shall be produced before trial Court/Area Judicial Magistrate. In the event of their statements being recorded, trial court/Area Judicial Magistrate will send copies of the same to this Court before the next date of hearing along with his report:

- (i) regarding genuineness and voluntary nature of the compromise;*
- (ii) whether all the accused/petitioners are appearing before the Court or are on bail; and*
- (iii) whether any other proceeding is pending against the accused/petitioners.*

Adjourned to 20.12.2019.”

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.07 dated 15.01.2011 registered under Sections 323, 324, 341, 148 and 149 of Indian Penal Code at Police Station Division No.8, District Jalandhar and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

February 21, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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