

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

276

CRM-M No. 56352 of 2023
Date of Decision: 27.02.2024

Sarabjit Singh

.....Petitioner

Versus

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 respondents No. 2 and 3.

HARPREET SINGH BRAR, J.(ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 0006 dated 11.01.2020 registered under Sections 323, 498-A of Indian Penal Code, 1860 at Police Station Rahon, District SBS Nagar and all subsequent proceedings arising therefrom in view of the compromise dated 26.10.2023.

2. The following order was passed on 08.11.2023:

“The petitioner seeks quashing of FIR No.0006 dated 11.01.2020 registered at Police Station Rahon, District SBS Nagar, under Sections 323/498-A IPC on the basis of compromise dated 26.10.2023 (Annexure P-2) between the parties.

Notice of motion.

Mr. Sandeep Kumar, DAG, Punjab, accepts notice on behalf of respondent No.1-State. He submits that challan has already been presented and now the case is fixed for 25.01.2024.

Mr. Vikram Preet Arora, Advocate, puts in appearance and accepts notice on behalf of respondents No.2 & 3. He admits the factum of compromise between the parties.

Adjourned to 18.12.2023.

Both the parties shall assist the Court, as to whether, the petition for quashing of the FIR is maintainable.

In the meantime, the parties are directed to appear before the trial Court/Illaq Magistrate on 25.01.2024 for recording of their statements. After recording the statements of all the relevant parties subject to their due identification, the trial Court/Illaq Magistrate shall send a report to this Court regarding “genuineness of compromise” between the parties, well before the next date of hearing.”

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. 0006 dated 11.01.2020 registered under Sections 323, 498-A of Indian Penal Code, 1860 at Police Station Rahon, District SBS Nagar and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

27.02.2024

Rajeev (rvs)

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No