

Date of decision: 09.02.2024

...PETITIONERS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

Present: Ms. Ramandeep Kaur Suhag, Advocate for the petitioners.

Mr. Prikshit Thakur, Advocate for respondent Nos.2 and 3.

HARPREET SINGH BRAR J. (ORAL)

2. The following order was passed on 08.01.2024 :

The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 180 dated 30.10.2021 under Sections 324, 323, 148, 149, 120-B of Indian Penal Code registered at Police Station City Fazilka, District Fazilka (Annexure P-1) on the basis that a compromise dated 02.12.2021 (Annexure P-2) has been entered into between the parties.

At this stage, on the asking of the Court Mr. Subhash Godara, Addl. A.G. Punjab accepts notice on

behalf of respondent No.1-State and Mr. Prikshit Thakur, Advocate accepts notice on behalf of respondents No. 2 and 3 and files his Vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

Now, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks, to get recorded their statements regarding compromise and after recording their statements, learned trial Court/Illaqa 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 i.e. 09.02.2024.

A copy of the order be sent to the learned trial Court/Illaqa 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.180 dated 30.10.2021 registered under Sections 324, 323, 148, 149, 120-B of Indian Penal Code at Police Station City Fazilka, District Fazilka (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

February 09, 2024

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(i) Whether speaking/reasoned

(ii) Whether reportable

(HARPREET SINGH BRAR)

JUDGE

Yes/No

Yes/No