



234 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-59659-2023 (O&M)
Date of decision: 02.08.2024

PRITPAL SINGH AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kuldip Singh, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Prince Pasricha, Advocate for
Mr. Mohd. Imran Khan, Advocate for respondent No. 2.

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.69 dated 15.07.2021 registered under Sections 452, 354, 354-B, 506, 324, 148, 380, 149 of Indian Penal Code, 1860 (Section 326 of IPC added later on) at Police Station Lakho Ke Behram, District Ferozepur along with all consequential proceedings arising therefrom, on the basis of compromise/affidavit dated 16.08.2023 (Annexure P-2/P-3) arrived at between the parties.

2. The following order was passed on 02.02.2024:

"CRM- 4598-2024

This application has been filed by the petitioners for granting them permission to place on record a Panchayati compromise stated to have been effected between the petitioners and respondent No.2 on 12.01.2024.

At this stage, Mr. Mohammad Imran Khan, Advocate has put in appearance on behalf of respondent No.2



and has submitted that he has no objection if this application is allowed. Hence, the application is allowed and the aforementioned documents are ordered to be placed on record as Annexure P-3.

Main case

This petition has been filed for quashing of FIR No.69 dated 15.07.2021 registered under Sections 452, 354, 354-B, 506, 324, 148, 380, 149 of IPC, 1860 (Section 326 of IPC added later on) at Police Station Lakho Ke Behram, District Ferozepur along with all consequential proceedings arising therefrom, on the basis of compromise/affidavit dated 16.08.2023 (Annexure P-2/P-3) arrived at between the parties.

Counsel for the petitioner has mentioned in para No. 10 of the petition that the petitioners have not been declared as proclaimed person(s).

Notice of motion.

Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of respondent No.1-State and Mr. Mohammad Imran Khan, Advocate accepts notice on behalf of respondent No.2 and has filed his vakalatnama. The same is taken on record. He has admitted the factum of compromise effected between the parties.

The parties and Investigating Officer are directed to appear before the Illaqa Magistrate/trial Court on 01.03.2024 for getting their statements recorded with regard to the compromise. The Illaqa/Duty Magistrate shall submit the report on or before the next date of hearing. The report be forwarded to this Court specifying the following:-

- 1. The number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/proclaimed persons, in the case;*
- 2. the name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*
- 3. the stage of trial/proceedings pending;*
- 4. if the compromise is genuine, voluntary and out of free will of the parties.*

5. *Whether any other criminal case pending against the accused.*

Report of Illaqa/Duty Magistrate be awaited for 02.04.2024.”

3. Vide orders dated 02.04.2024 and 28.05.2024, parties were again directed to appear before the trial Court/Illaqa Magistrate for getting their statements recorded in support of the compromise.

4. In compliance of the aforesaid orders, 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.

5. 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.69 dated 15.07.2021 registered under Sections 452, 354, 354-B, 506, 324, 148, 380, 149 of Indian Penal Code, 1860 (Section 326 of IPC added later on) at Police Station Lakho Ke Behram, District Ferozepur and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

August 02, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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