

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

268/2CRM-M No. 60212-2023
Date of Decision: 31.01.2024

Balbir Singh @ Billu and others.....Petitioners

Versus

State of Punjab and another.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Arshdeep Singh, Advocate for
Mr. Mikhail Kad, Advocate for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.
Mr. Neeraj Yadav, 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 cross case (Rapat No. 21) dated 21.11.2010 registered under Sections 326, 324, 323, 148 and 149 of Indian Penal Code, 1860 in FIR No. 0123 dated 21.11.2010 under Sections 326, 324, 323, 148 and 149 of Indian Penal Code, 1860 at Police Station Majitha, District Amritsar (Rural) and all subsequent proceedings arising therefrom in view of the compromise.
2. The following order was passed on 01.12.2023:
*“Notice of motion.
On asking of the Court, Ms. Navreet Kaur Barnala, AAG, Punjab accepts notice on behalf of respondent No.1-State.
Mr. Neeraj Yadav, Advocate puts in appearance on behalf of respondent No.2 and files his power of attorney which is taken on record.*

Registry is directed to tag the same at an appropriate place in the file.

In view of the compromise arrived at between the parties, let the parties appear before the trial Court/Area Magistrate, as the case may be, within a period of two weeks from today for getting their statements recorded with regard to the compromise. Trial Court is directed to report on the following points:-

- (i) how many total accused are facing the trial;*
- (ii) whether any of the accused was declared proclaimed offender at any stage of trial;*
- (iii) status/stage of the trial/case;*
- (iv) to record the statements of all the concerned parties with regard to the genuineness and validity or otherwise of the compromise;*
- (v) to record the statement of Investigating Officer with regard to points No.(i), (ii) and (iii) as above.*

Report be sent through District and Sessions Judge, before the next date of hearing.

Adjourned to 31.01.2024.

To be heard along with CRM-M-59768-2023.”

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 cross case (Rapat No. 21) dated 21.11.2010 registered under Sections 326, 324, 323, 148 and 149 of Indian Penal Code, 1860 in FIR No. 0123 dated 21.11.2010 under Sections 326,

District Amritsar (Rural) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

31.01.2024

(HARPREET SINGH BRAR)

Rajeev (rvs)

JUDGE

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