

Date of decision: 09.02.2024

...PETITIONERS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

Present: Mr. Niharika Almadi, Advocate for
Mr. Hitesh Verma, Advocate for the petitioners.

Ms. Amrinder Kaur, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.56 dated 16.05.2019 registered under Sections 420, 120-B of Indian Penal Code at Police Station Tappa Mandi, District Barnala (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 10.04.2023 (Annexure P-2).

2. The following order was passed on 08.01.2024 :

CRM-M-60102-2023

In compliance of order passed by this Court on 30.11.2023, learned State counsel submits that there is no other case of similar nature pending against the petitioners.

The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 56 dated 16.05.2019 under Sections 420, 120-B of Indian Penal Code registered at Police Station Tappa Mandi, District Barnala (Annexure P-1) on the basis that a compromise dated 10.04.2023 (Annexure P-2) has been entered into between the parties.

Notice of motion.

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. J.S. Mehal, Advocate for Ms. Amarinder Kaur, Advocate accepts notice on behalf of respondent No. 2 and files her 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.56 dated 16.05.2019 registered under Sections 420, 120-B of Indian Penal Code at Police Station Tappa Mandi, District Barnala (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

February 09, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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