

256 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH
CRM-M-61256-2023 (O&M)
Date of Decision: 02.02.2024

MANISH KUMAR ALIAS MINTU
V/S
STATE OF PUNJAB AND ANOTHER
...Petitioner
...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Veer Pal Kaur, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

Mr. Karan Bansal, Advocate for the 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. 207 dated 05.09.2023 registered under Sections 308, 323 of Indian Penal Code and at Police Station City Sunam, District Sangrur and all subsequent proceedings arising therefrom in view of the compromise dated 24.11.2023 (Annexure P-3).

2. The following order was passed on 06.12.2023:

"Notice of motion.

Ms. Navreet K. Barnala, AAG, Punjab puts in appearance and accepts notice on behalf of respondent No.1-State.

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 02.02.2024.”

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. 207 dated 05.09.2023 registered under Sections 308, 323 of Indian Penal Code and at Police Station City Sunam, District Sangrur and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

02.02.2024
Manisha

(HARPREET SINGH BRAR)
JUDGE

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