



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M- 62299 of 2023

DATE OF DECISION: 01.08.2024

Manish Singh @ Manish Kumar and others

.....Petitioners

VERSUS

State of Punjab and others

.....Respondents

CORAM HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present Ms. Chhavi Sharma, Advocate
for Mr. Lakhwinder Singh Mann, Advocate,
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Rohit Rana, Advocate, for respondents no.1 to 4.

HARPREET SINGH BRAR, J (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR 96 dated 12.04.2020 (Annexure P-1) registered under Sections 323, 341, 353, 186, 354, 506 and 149 IPC registered at Police Station Sirhind, Distt. Fatehgarh Sahib and all subsequent proceedings arising therefrom in view of the compromise dated 09.11.2023.

2. The following order was passed on 12.12.2023:-

“This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.96 dated 12.04.2020 under Sections 323, 341, 353, 186, 354, 506, 149 of the Indian Penal Code, 1860 registered at Police Station Sirhind, District Fatehgarh Sahib (Annexure P-1), and all other consequential proceedings arising therefrom, on the basis of a compromise dated 09.11.2023 (Annexure P-2).



Learned counsel for the petitioners would contend that the parties have now resolved all their disputes and have decided to amicably settle the matter. Learned counsel for the petitioners has relied upon the judgement of Hon'ble Supreme Court rendered in "Gian Singh Vs. State of Punjab & Anr." [2012 (10) SCC 303] and the Larger Bench's judgement of this Court in "Kulwinder Singh & Ors. Vs. State of Punjab & Anr." [2007 (3) RCR (Criminal) 1052].

Notice of motion.

On the asking of the Court, Mr. M.S. Tiwana, AAG Punjab accepts notice on behalf of respondent No.1-State. Mr. Rohit Rana, Advocate accepts notice for respondent Nos.2 to 4. Copy of the petition has already been supplied to both the counsel.

Learned counsel appearing for respondent Nos.2 to 4 has stated that the parties have since entered into a compromise, a copy whereof is annexed as Annexure P-2 with the petition. He further submits that the said compromise has been duly signed by the complainant as well and now the parties have no grudge against each other and further that respondent Nos.2 to 4 have no objection if the aforesaid FIR is quashed in view of the compromise between the parties.

List on 10.04.2024.

Meanwhile, the parties are directed to appear before the concerned CJM/Illaq Magistrate/Trial Court on 24.01.2024, or on any other date convenient to the Court, for recording of their statements. The CJM/Illaq Magistrate/Trial Court is directed to record the statements of the parties to its satisfaction qua the genuineness of the compromise and that the same is not the result of any undue influence, coercion or pressure of any kind. A report, along-with the statements of the parties, on the following points be sent to this Court before the next date of hearing:



- 1) *Whether the compromise dated 09.11.2023 (Annexure P-2) has been freely entered into between the parties without any undue influence, coercion or pressure of any kind.*
- 2) *Whether all the accused are party to the compromise.*
- 3) *Whether any other criminal cases are pending against the parties.*
- 4) *Whether any proclamation proceedings are pending against either of the parties.”*

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 96 dated 12.04.2020 (Annexure P-1) under Sections 323, 341, 353, 186, 354, 506 and 149 IPC registered at Police Station Sirhind, Distt. Fatehgarh Sahib and all subsequent proceedings arising therefrom in view of the compromise dated 09.11.2023 are quashed, qua the petitioners.

01.08.2024
mamta

(HARPREET SINGH BRAR)
JUDGE

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