

CRM-M-63267-2023
Date of decision: 15.03.2024

...PETITIONERS

V/S

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Mr. Rishabh Singla, AAG, Punjab.

Mr. Aazam Khan, Advocate for
Mr. Aman Kumar, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

This is a petition that has been filed seeking quashing of FIR No. 64 dated 15.06.2023 under Section 323, 506, 379, 326, 148, 149 of Indian Penal Code registered at Police Station Sadar Batala, District Batala (Annexure P-1) on the basis of compromise dated 23.11.2023 (Annexure P-2).

2. The following order was passed on 15.12.2023 :-

“This is a petition that has been filed seeking quashing of FIR No. 64 dated 15.06.2023 under Section 323, 506, 379, 326, 148, 149 of Indian Penal Code registered at Police Station Sadar Batala, District Batala on the basis that a compromise has been entered into between the parties.

Notice of motion.

At this stage, on the asking of the Court Ms. Navreet K. Barnala, AAG, Punjab accepts notice on behalf of respondent No.1-State and Mr. Aman Kumar, Advocate accepts notice on behalf of respondents No.2 and 2 and files his Memorandum of Appearance 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. 02.02.2024.

A copy of the order be sent to the learned trial Court/Illaqa Magistrate through fax for compliance.”

3. In compliance of order dated 02.02.2024, cost of Rs.5,000/- has been deposited and a receipt thereof has also been produced and in compliance of the orders dated 15.12.2023 and 02.02.2024, 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. 64 dated 15.06.2023 under Section 323, 506, 379, 326, 148, 149 of Indian Penal Code registered at Police Station Sadar Batala, District Batala (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

March 15, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No