

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

268

CRM-M-64408-2023
Date of decision:01.02.2024

YADWINDER SINGH

..PETITIONER(S)

Versus

STATE OF PUNJAB AND ANOTHER

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rahul Rana, Advocate for
Mr. Yagsimant Attri, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Rahul Verma, 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. 0034 dated 03.04.2018 registered under Sections 355, 365, 511, 341, 323, 34 of Indian Penal Code at Police Station City Budhlada District Mansa and all subsequent proceedings arising therefrom in view of the compromise dated 09.12.2023 (Annexure P-2).

2. The following order was passed on 21.12.2023:-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0034 dated 03.04.2018 under Sections 355/365/511/341/323/34 of IPC registered at Police Station City Budhlada District Mansa (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 09.12.2023 (Annexure P-2).

Notice of motion.

At this stage, on the asking of the Court, Mr. I.P.S. Sabharwal, DAG, Punjab accepts notice on behalf of respondent No.1-State and Mr. Rahul Verma, Advocate accepts notice for respondent No.2 and files his 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.

*Learned counsel for the petitioner relies upon the judgment of this Court in **Parambir Singh Gill Vs. Malkiat Kaur 2010(1) RCR (Criminal) 256** and **Jayaraj Singh Digvijay Singh Rana Vs. State of Gujrat and another 2012(4) RCR (Criminal) 589** to contend that the partial compromise i.e. compromise with some of the accused is permissible.*

Now the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get recorded their statements regarding compromise and after recording their statements, learned trial Court/Illaq 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. 01.02.2024.

A copy of the order be sent to learned trial Court/Illaq 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. Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in *Parambir Singh Gill Vs. Malkiat Kaur 2010(1) RCR (Crl.) 256* and *Jayaraj Singh Rana Vs. State of Gujrat 2012(4) RCR (Crl.) 589*, *Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466* and *Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834* 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. 0034 dated 03.04.2018 registered under Sections 355, 365, 511, 341, 323, 34 of Indian Penal Code at Police Station City Budhlada District Mansa and all subsequent proceedings arising out of the same are quashed qua the petitioner only.

01.02.2024
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(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned :	Yes
Whether reportable :	No