

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

275

CRM-M No.64196-2023

Date of Decision: 08.02.2024

Davinder Kumar @ Deepu and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anoop Singla, Advocate for
Mr. B.B.S. Randhawa, Advocate for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. I.P.S. Mangat, Advocate for
Mr. Manu Loona, Advocate for respondents No. 2 to 5.

HARPREET SINGH BRAR, J.(ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0063 dated 18.03.2023 under Sections 323/452/506/336/148/149 of IPC and Sections 25/27 of Arms Act registered at Police Station Civil Lines Batala, Police District Batala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 15.07.2023 (Annexure P-2).

2. The following order was passed on 20.12.2023:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0063 dated 18.03.2023 under Sections 323/452/506/336/148/149 of IPC and Sections 25/27 of Arms Act registered at Police Station Civil Lines Batala, Police District Batala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 15.07.2023 (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. Manu Loona, Advocate accepts notice for respondents No.2 to 5 and files his power of attorney 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 from today or any other date convenient to the trial Court/Illaqa Magistrate, 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. 08.02.2024.”

A copy of the order be sent to 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.0063 dated 18.03.2023 under Sections 323/452/506/336/148/149 of IPC and Sections 25/27 of Arms Act registered at Police Station Civil Lines Batala, Police District Batala (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

08.02.2024Rajeev (rvs)(HARPREET SINGH BRAR)JUDGE

Whether speaking/reasonedWhether reportableYes/NoYes/No