

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

277

CRM-M No. 64206 of 2023
Date of Decision: 08.02.2024

Baljinder Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Jivesh Malik, Advocate for
Mr. G.S.Aulakh, Advocate for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Sourabh Kundoi, Advocate for
Mr. Neeraj Jain, Advocate for respondents No. 2 and 3.

HARPREET SINGH BRAR, J.(ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0163 dated 10.10.2021 under Sections 323/325/341/427/34/120-B and 201 of IPC registered at Police Station Gidderbaha, District Sri Muktsar Sahib along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 04.12.2023 (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.0163 dated 10.10.2021 under Sections 323/325/341/427/34/120-B and 201 of IPC registered at Police Station Gidderbaha, District Sri Muktsar Sahib along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 04.12.2023 (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. Neeraj Jain, Advocate accepts notice for respondents No.2 & 3 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.0163 dated 10.10.2021 under Sections 323/325/341/427/34/120-B and 201 of IPC registered at Police Station Gidderbaha, District Sri Muktsar Sahib and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

08.02.2024

(HARPREET SINGH BRAR)

Rajeev (rvs)

JUDGE