

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

273

CRM-M-65080-2023
Date of decision:01.02.2024

CHETAN GABA AND OTHERS

..PETITIONER(S)

Versus

STATE OF PUNJAB AND OTHERS

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Palvi, Advocate for
Mr. Sumit Kalra, Advocate the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

None for 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.037 dated 26.02.2023 registered under Sections 323, 324, 506, 149, 34 of IPC (Section 326 IPC added later on) at Police Station Division No.8, District Ludhiana and all subsequent proceedings arising therefrom in view of the compromise dated 14.08.2023 (Annexure P-2).
2. The following order was passed on 22.12.2023:-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.037 dated 26.02.2023 under Sections 323, 324, 506, 149, 34 of IPC (Section 326 IPC added later on) registered at Police Station Division No.8, Ludhiana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 14.08.2023 (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 Ms. Navneet

Kaur, Advocate accepts notice for respondent No.2 and files her 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. 01.02.2024.

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 (CrI.) 1052**, this petition is allowed and FIR No.037 dated 26.02.2023 registered under Sections 323, 324, 506, 149, 34 of IPC (Section 326 IPC added later on) at Police Station Division No.8, District Ludhiana and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

01.02.2024
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(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No