

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-64989-2023
Date of decision:01.02.2024

HARSHDEEP SINGH AND ANOTHER

..PETITIONER(S)

Versus

STATE OF PUNJAB AND OTHERS

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Harish Sharma, Advocate the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Tanish Gautam, Advocate
for respondent No.2 &3.

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.196 dated 25.09.2023 registered under Sections 379-B and 411 IPC (Section 411 added at the time of presentation of report under Section 173 Cr.P.C) at Police Station Sidhwan Bet, Ludhiana Rural, District Ludhiana and all subsequent proceedings arising therefrom in view of the compromise dated 12.12.2023 (Annexure P-2).

2. The following order was passed on 22.12.2023:-

“This is a petition that has been filed seeking quashing of FIR No. 196 dated 25.09.2023 under Sections 379-B and 411 IPC (Section 411 IPC added at the time of presentation of report under Section 173 Cr.P.C.) registered at Police Station Sidhwan Bet, Ludhiana Rural, District Ludhiana on the basis that a compromise dated 12.12.2023 (Annexure P-2) has been effected between the parties.

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. Tanish Gautam, Advocate accepts notice on behalf of respondents No. 2 and 3 and files his Memo 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/Illaq Magistrate within two weeks, 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 the 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. 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.196 dated 25.09.2023 registered under Sections 379-B and 411 IPC (Section 411 added at the time of presentation of report under Section 173 Cr.P.C) at Police Station Sidhwan Bet, Ludhiana Rural, 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