

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

269

CRM-M-64534-2023
Date of decision:01.02.2024

JATINDER SINGH AND ANR.

..PETITIONER(S)

Versus

STATE OF PUNJAB AND ANOTHER

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anoop Singla, Advocate for
Ms. Mandeep Kaur, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG Punjab.

Mr. B.B.S. Randhawa, Advocate
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. 0056 dated 12.07.2023 registered under Sections 324, 323, 341, 506, 34 of Indian Penal Code and Section 326 of IPC added later on at Police Station Ghanie Ke Bangar, Police District Batala and all subsequent proceedings arising therefrom in view of the compromise dated 02.09.2023 (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.0056 dated 12.07.2023 registered at under Sections 324, 323, 341, 506, 34 of IPC and Section 326 of IPC added later on at Police Station Ghanie Ke Bangar, Police District Batala (Annexure P-1)

along with all subsequent proceedings arising therefrom on the basis of compromise dated 02.09.2023 (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. B.B.S.Randhawa, Advocate accepts notice for respondent No.2 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/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. 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. 0056 dated 12.07.2023 registered under Sections 324, 323, 341, 506, 34 of Indian Penal Code and Section 326 of IPC added later on at Police Station Ghanie Ke Bangar, Police District Batala 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