

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

274

CRM-M-65081-2023(O&M)

Date of decision:01.02.2024

SURINDER SINGH @BABBU AND OTHERS

..PETITIONER(S)

Versus

STATE OF PUNJAB AND ANOTHER

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Bhupinder Banga, Advocate for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Imran Ahmad Ali, 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.0117 dated 31.10.2019 registered under Sections 323, 324, 148, 149 Indian Penal Code (Section 326 added later on) at Police Station Mehtiana, District Hoshiarpur and all subsequent proceedings arising therefrom in view of the compromise dated 18.12.2023 (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.0117 dated 31.10.2019 under Sections 323, 324, 148, 149 of IPC (Section 326 IPC added later on) registered at Police Station Mehtiana, District Hoshiarpur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 18.12.2023 (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. Imran Ahmad Ali, Advocate accepts notice for respondent No.2 and

files his vakalatnama 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 (Crl.) 1052**, this petition is allowed and FIR No.0117 dated 31.10.2019 registered under Sections 323, 324, 148, 149 Indian Penal Code (Section 326 added later on) at Police Station Mehtiana, District Hoshiarpur 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