

285-2

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8071-2020 (O&M)
Date of decision: 27.01.2025

Peeter Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Ms. Dilpreet Kaur, Advocate for
Mr. Madan Bhandari, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. N.K. Manchanda, Advocate
for respondents No.2 & 3.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No.156 dated 14.07.2013 registered under Sections 324, 323, 148, 149 of the Indian Penal Code, 1860 (for short 'IPC') (Section 325 of IPC was added and Section 324 of IPC was deleted later on), at Police Station Sadar Ferozepur, District Ferozepur and all subsequent proceedings arising therefrom in

2025:PHHC:011517



view of the compromise dated 15.03.2020 (Annexure P-3).

2. The following order was passed on 29.11.2024 : -

“Through the instant petition, prayer is made for quashing of FIR No.156 dated 14.07.2013, under Sections 324, 323, 148, 149 IPC (Section 325 IPC added and Section 324 IPC deleted later on), registered at Police Station Sadar Ferozepur, District Ferozepur and all subsequent proceedings enumerating therefrom, on the basis of compromise dated 15.03.2020 (Annexure P-3).

Learned counsel appearing on behalf of respondents No.2 and 3 submits that he has no objection in case the FIR (supra) is quashed on the basis of compromise (supra).

In view of above, the parties are directed to appear before the learned Illaqa Magistrate/trial Court concerned within one month from today to get their respective statements recorded regarding the compromise and after recording their respective statements, the learned trial Court/Illaqa Magistrate concerned is directed to send the same alongwith its report, regarding the genuineness of compromise, on or before the next date of hearing in the present petition, specifically with regard to the following facts:-

- 1. Number of persons arrayed as accused in the FIR;*
- 2. Whether any accused is proclaimed offender;*
- 3. Stage of the trial/proceedings.*
- 4. Whether the compromise is genuine, voluntary, and without any coercion or undue influence and*
- 5. Total number of victims and their names.*

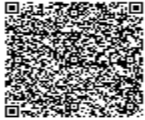
It is made clear that complainant/private respondent should also appear in person before the learned trial Court/Illaqa Magistrate concerned to get his statement recorded regarding compromise.

To come up on 27.01.2025.

The State counsel is also directed to verify the factum of compromise by the date fixed.

A copy of this order be sent to the learned trial Court/Illaqa Magistrate for compliance.”

2025:PHHC:011517



3. In compliance of the aforesaid 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* 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.156 dated 14.07.2013 registered under Sections 324, 323, 148, 149 of IPC (Section 325 of IPC was added and Section 324 of IPC was deleted later on), at Police Station Sadar Ferozepur, District Ferozepur and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

[HARPREET SINGH BRAR]
JUDGE

27.01.2025
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No