



CRM-M-15133-2024 (O&M)

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296 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15133-2024 (O&M)

Date of decision: 22.01.2025

RESHAM SINGH @ ROSHAN SINGH AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ankush Rampal, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Kushagra Mahajan, Advocate
for respondents No. 2 to 5.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed for quashing of DDR No.10 dated 29.07.2019 under Sections 323, 325, 148 and 149 IPC in FIR No.131 dated 06.07.2019 under Sections 323, 427, 452, 506, 148 and 149 IPC registered at Police Station Chattiwind, District Amritsar and all other consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2), entered into between the parties.

2. The following order was passed on 22.03.2024:

“The present petition has been filed for quashing of DDR No.10 dated 29.07.2019 under Sections 323, 325, 148 and 149 IPC in FIR No.131 dated 06.07.2019 under Sections 323, 427, 452, 506, 148 and 149 IPC registered at Police Station Chattiwind, District Amritsar and all other consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2), entered into between the parties.

Learned counsel for the petitioners submits that in order to live peacefully, parties have entered into compromise



(Annexure P-2), according to which, both the parties have agreed not to proceed further with the FIR in question.

Notice of motion for 07.08.2024.

Ms. Ramta K Chaudhary, DAG, Punjab, accepts notice on behalf of respondent No.1-State. Mr. Kushagra Mahajan, Advocate, accepts notice on behalf of respondents No.2 to 5. He does not dispute the above said compromise, which has been arrived at between the parties, according to which, complainant does not wish to press the allegations alleged in the FIR any further.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording their statement with regard to compromise/settlement (Annexure P-2) on 14.05.2024 by moving an appropriate application or by presenting this order.

The trial Court/Illaq Magistrate is directed to submit the report on or before the next date of hearing containing the following information in a tabulated form:-.

- 1. Number of persons arrayed accused in the FIR;*
- 2. Whether any accused is a proclaimed offender;*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence;*
- 4. Whether the accused persons are involved in any other FIR or not; and*
- 5. The statements of the complainant and all the victims/persons aggrieved shall be recorded by the Trial Court;*
- 6. The Trial Court is also directed to record the statement of the Investigating Officer/any other officer aware of the facts of the case so as to know how many victims/complainants are there in the FIR and whether all the victim/complainant as well as accused are party to the compromise in question.*

The petitioner shall deposit a cost of Rs.25,000/- (collectively) with the Punjab and Haryana High Court Bar Association, Chandigarh, Account No.65035682434, SBI High Court Branch, IFSC:-SBIN0050306 concerned on or before the date of recording of their statements and produce the receipt of the same to the Trial Court/Illaq Magistrate.”



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 DDR No.10 dated 29.07.2019 under Sections 323, 325, 148 and 149 IPC in FIR No.131 dated 06.07.2019 under Sections 323, 427, 452, 506, 148 and 149 IPC registered at Police Station Chattiwind, District Amritsar along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

January 22, 2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |