



CRM-M-17019-2024 (O&M)

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292 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-17019-2024 (O&M)

Date of Decision: 18.02.2025

RAJINDER SINGH @ KALA AND OTHERS

...Petitioners

V/S

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Harjot Singh Bedi, Advocates
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. S.K. Bokolia, Advocate and Mr. Gurpreet Singh, Advocate
for respondents No. 2 and 3.

HARPREET SINGH BRAR J. (Oral)

1. Petitioners have filed petition under Section 482 of Cr.P.C. for quashing of FIR No. 165 dated 03.09.2019 registered under Sections 323, 324, 506, 148, 149 of Indian Penal Code at Police Station Tibba District Ludhiana along with all subsequent proceedings arising therefrom, on the basis of compromise dated 27.03.2024 (Annexure P-2).

2. The following order was passed on 08.04.2024:

“Contends that matter has been compromised between the parties i.e. petitioners as well as respondent Nos.2 & 3.

(2) Notice of motion.

(3) On asking of the Court, Ms. Manjot Kaur, AAG, Punjab accepts notice on behalf of respondent No.1/State.

(4) Mr. Gurpreet Singh, Advocate, who is present in the Court, has filed power of attorney on behalf of respondent Nos.2 & 3. The same is taken on record. He acknowledged



the factum of compromise dated 27.03.2024 (P-4) arrived at between the parties at their own level.

(5) Requisite number of copies of the petition be supplied to learned Counsel for the respondents during the course of day.

(6) Petitioners shall file their respective affidavits that there is no other criminal case(s) pending against them and also give the details of any other FIR(s), already quashed on the basis of compromise.

(7) In view of the above, let parties appear before the Court of learned Illaqa Magistrate/trial Court on or before 20.05.2024 for recording their statement(s) with reference to the compromise, if any, entered into between them.

(8) Learned Illaqa Magistrate/trial Court shall record the statement(s) of all accused, complainant/injured and victim, if any, and submit a report to this Court before the next date of hearing containing the following information:-

(i). Whether the statements of the parties are bona fide and not result of any pressure or coercion etc. in any manner? (ii). Whether the compromise effected between the parties is genuine and valid?

(iii). Whether all the accused, complainant and injured are party to the compromise and if not, the details/particulars of such person(s)?

(iv). Whether any other case is pending against either of the parties or not, if yes, the details thereof?

(v). Whether any of the persons involved in this case/dispute has been declared a proclaimed offender?

(vi). Whether any of the petitioner(s) is/are previous convict or not?

(9) List before this Court on 18.07.2024 for further consideration.



(10) Meanwhile, learned State Counsel shall also get the instructions in the matter as to whether the State has any objection?

(11) Copy of this order be sent to learned Judicial Officer concerned forthwith for information and strict compliance.”

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. Learned State counsel at the very outset submits that one of the accused namely Sukhdev Singh has not been impleaded as a party in the present petition.

5. However, perusal of report received from the jurisdictional Court indicates that final report under Section 173 Cr.P.C. has been filed only qua the petitioners and statement of SI Gurpreet Singh was recorded by this Judicial Magistrate Ist Class, Ludhiana, in this regard.

6. 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. 165 dated 03.09.2019 registered under Sections 323, 324, 506, 148, 149 of Indian Penal Code at Police Station

Tibba District Ludhiana along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

18.02.2025

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No