



257

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-21287-2024

Date of Decision: **08.01.2025**

Harjinder Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sonpreet S. Brar, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Abhaysher Singh, Advocate for
Mr. Manav Ahlawat, 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.207 dated 19.08.2019 under Sections 420/506/120-B of IPC, 1860 registered at Police Station Tarn Taran, District Tarn Taran, Punjab (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 13.04.2024 (Annexure P-2).

2. The following order was passed on 21.05.2024 by the Co-ordinate Bench:-

“The present petition has been moved invoking jurisdiction of this Court under Section 482 Cr.P.C by the petitioners seeking quashing of FIR No.207 dated 19.08.2019, registered for offences punishable under Sections 420/506/120-B IPC, at Police Station Tarn Taran, District Tarn Taran, Punjab and all consequential proceedings arising therefrom.

Learned counsel for the petitioners contends that the matter already stands compromised vide Annexure P-2.

Notice of motion for 07.08.2024.

On the asking of the Court, Mr. Tarun Aggarwal, Sr. DAG, Punjab

accepts notice on behalf of respondent No.1-State. Mr. Manav Ahlawat, Advocate appears and accepts notice on behalf of respondent No.2 and admits the fact of there being a compromise between the parties.

In view of the above, both the parties are directed to appear before learned Duty Magistrate/Illaq Magistrate/trial Court on 01.07.2024 On their doing so, the learned Duty Magistrate/Illaq Magistrate/trial Court shall record their statements and furnish its report to this Court by the next date of hearing on the following aspects:-

- 1. Number of persons arrayed as accused in the FIR.*
- 2. Whether any accused is 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 case or not?*
- 5. The trial Court is also directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR.*

A copy of the report be also sent to the Registrar Judicial of this Court.

Needless to say that in case for any reason the statements are not recorded on the aforesaid date, the learned Duty Magistrate/Illaq Magistrate/trial Court shall be at liberty to call the parties on any other date but not later than a week thereafter.”

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. A perusal of the report indicates that petitioner No.2 has not appeared before the Court concerned to record his statement in terms of the compromise.

4. Learned counsel for respondent No.2 submits that the consent of the complainant is necessary for compounding of the offences and all the accused are not required to depose in favour of the compromise and respondent No.2 has No-objection, in case, FIR (supra) is quashed qua all the petitioners.

5. 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.207 dated 19.08.2019 under Sections 420/506/120-B of IPC, 1860 registered at Police Station Tarn Taran, District Tarn Taran, Punjab (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua the petitioners.

08.01.2025
Parveen kumar

(HARPREET SINGH BRAR)
JUDGE

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