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

CRM-M-22394-2024

Date of Decision: **15.01.2025**

Ranjit Singh alias Billu and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ritesh Pandey, Advocate for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Ms. Pooja, Advocate for
Mr. Aazam Khan, Advocate for respondent Nos.2 to 4.

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.21 dated 27.03.2021 (Annexure P-1) under Sections 420, 406 IPC (Sections 419, 468, 471, 473, 120-B and 201 IPC were added later on) registered at Police Station Purana Shalla, Distt. Gurdaspur and all subsequent proceedings arising therefrom in view of the compromise dated 25.04.2024 (Annexure P-2).

2. The following order was passed on 22.08.2024 by the Co-ordinate Bench:-

The present petition has been filed for quashing of an FIR No.21 dated 27.03.2021 under Sections 420, 406 IPC and Sections 419, 468, 471, 473, 120-B and 201 IPC (added later on) registered at Police Station Purana Shalla, Distt. Gurdaspur and all other consequential proceedings arising therefrom, on the basis of compromise dated 25.04.2024 (Annexure P-2), entered into between the parties.

Learned counsel for the petitioner 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 15.01.2025.

Ms. Ramta K Chaudhary, DAG, Punjab, accepts notice on behalf of respondent No.1-State. Mr. Aazam Khan, Advocate, accepts notice on behalf of respondents No.2 to 4. 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 12.11.2024 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 as accused in 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; 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 petitioners shall deposit a cost of Rs.25,000/- (collectively) with the Spinal Rehab Centre, Chandigarh Plot No.1, Madhya Marg, Sector 28-A, Chandigarh, 0172-4610311 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 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. The report further indicates that victim Jagdish Singh son of Sukhwinder Singh, resident of village Ladhupur, Tehsil & District Gurdaspur had also appeared and his statement has also been recorded with regard to the compromise although he was not impleaded as a party. Learned State counsel submits that all the stakeholders have appeared before the jurisdictional Court and have recorded their statements in terms of the compromise.

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, 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.21 dated 27.03.2021 (Annexure P-1) under Sections 420, 406 IPC (Sections 419, 468, 471, 473, 120-B and 201 IPC were added later on) registered at Police Station Purana Shalla, Distt. Gurdaspur and all subsequent proceedings arising out of the same are quashed qua the petitioners.

15.01.2025
Parveen kumar

(HARPREET SINGH BRAR)
JUDGE

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