



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

CRM-M-25714-2023

Date of decision: 06.02.2025

AAKASHDEEP AND ANOTHER

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sukhbir Maandi, Advocate for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Ms. Amarjeet Kaur, Advocate for

Mr. Jagdish Singh Mahal, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.51 dated 19.02.2023, under Sections 379-B, 411, 34 of IPC, registered at Police Station Division B, District Police Commissionerate Amritsar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 01.04.2023 (Annexure P-2).

2. The following order was passed on 19.05.2023 :-

“Petitioners have filed the present petition seeking quashing of FIR No.51 dated 19.02.2023, under Sections 379-B, 411, 34 of IPC, registered at Police Station Division B, District Police Commissionerate Amritsar on the basis of affidavit dated 01.04.2023.

*Learned counsel for the petitioners has submitted that the FIR was registered on 19.02.2023, however, soon thereafter, both the parties have resolved their differences and decided not to pursue the proceedings. He relies upon the judgment titled as **Narinder Singh and others Versus State of Punjab and another, 2014 (6) SCC 466**. He submits that the prosecution of the petitioner would be nothing but an abuse of the process of the*



Court. He further submits that though the matter is under investigation, however, immediately after registration of the FIR, the parties have entered into compromise.

Notice of motion.

On asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of the respondent-State. Mr. Jagdish Singh Mahal, Advocate accepts notice on behalf of respondent No.2.

Let both the parties are directed to appear before the concerned trial Court/Illaq Magistrate on 31.05.2023 for recording their statements, who shall record their respective statements with regard to the genuineness/correctness of the compromise and that the compromise is not the result of any fraud or misrepresentation and is the result of free will of the parties. It would also be verified that besides the accused (petitioners) mentioned in the petition, there is no other accused in the FIR and the parties are not involved or declared proclaimed offender in any other criminal case. The trial Court/Illaq Magistrate shall send his/her report through learned Sessions Judge concerned on or before the date fixed before this Court.

The State to file status report before the next date of hearing.

List on 31.08.2023.”

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 46***, 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.51 dated 19.02.2023, under Sections 379-B, 411, 34 of



IPC, registered at Police Station Division B, District Police Commissionerate Amritsar (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

February 06, 2025
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(HARPREET SINGH BRAR)
JUDGE

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