



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

**CRM-M-27761-2024
Date of decision: 20.01.2025**

GURSHARAN SINGH AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Veneet Sharma, Advocate for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.258 dated 19.08.2023 under Sections 323, 342, 384, 506 and 149 IPC registered at Police Station 'B' Division, Amritsar City, District Amritsar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 21.05.2024 (Annexure P-2).

2. Mr. Ashish Aggarwal, Advocate has put in appearance on behalf of respondent No.2 and filed his *vakalatnama* which is taken on record. Registry is directed to tag the same at the appropriate place.

3. The following order was passed on 29.05.2024 :-

"The present petition has been filed for quashing of an FIR No.258 dated 19.08.2023 under Sections 323, 342, 384, 506 and 149 IPC registered at Police Station 'B' Division, Amritsar City, District Amritsar and all other consequential proceedings arising therefrom, on the basis of compromise dated 21.05.2024 (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 18.11.2024.

Mr. Harkanwar Jeet Singh, AAG, Punjab, accepts notice on behalf of respondent No.1-State.

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 29.07.2024 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 Day Care Centre for Elderly Disabled in home for Old and Destitute People, Sector 15, Chandigarh 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 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.258 dated 19.08.2023 under Sections 323, 342, 384, 506 and 149 IPC registered at Police Station ‘B’ Division, Amritsar City, District Amritsar (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

January 20, 2025
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(HARPREET SINGH BRAR)
JUDGE

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