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

CRM-M-32541-2024

Date of Decision: **08.01.2025**

Ghumand Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ajay Kumar, Advocate for
Mr. Vikas Bishnoi, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. S.S. Dhillon, 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 DDR No.31 dated 09.05.2024 under Sections 323/34 of IPC, 1860 registered at Police Station Sadar Shri Muktsar Sahib, District Sri Muktsar Sahib (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 20.05.2024 (Annexure P-2).

2. The following order was passed on 14.11.2024 by the Co-ordinate Bench:

Mr. Sukhwinder Singh Dhillon, Advocate has put in appearance on behalf of respondent No.2 and has filed his Vakalatnama. The same is taken on record.

Learned State counsel has filed the Status report. The same is taken on record. Copy thereof has been supplied to the counsel opposite.

The petitioner(s) filed petition under Section 482 Cr.P.C. for quashing of DDR No. 31 dated 09.05.2024, registered under Sections 323 and 34 of IPC,1860 at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib and all the subsequent proceedings arising therefrom, qua the petitioners, in light of the compromise dated 20.05.2024 effected between the parties (Annexure P-2).

Let the statements of petitioners and respondent No.2 be recorded with regard to the compromise on or before 04.12.2024 by learned Illaqa/Duty Magistrate concerned, as per the convenience of said Court. In the event of their statements being recorded, the Court will send copies of the same to this Court before the next date of hearing along with its report i.e.

- 1. The number of accused in the aforesaid FIR and to report whether any of the accused has been declared proclaimed offender(s) or any such proceedings have been initiated or pending against them.*
- 2. Whether the compromise entered between the parties is genuine voluntary without any coercion or undue influence.*
- 3. Statement of IO regarding involvement of petitioner(s) in any other FIR.*
- 4. Status of the trial pending before the Court.*

To await the report, list again on 08.01.2025..

Learned State counsel shall also file the status report before the next date of hearing.”

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. It further reveals that offence under Section 201 of IPC was added later on by the Investigating Officer vide DDR No.32 dated 12.07.2024.

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*** 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 DDR No.31 dated 09.05.2024 under Sections 323/34/201 of IPC, 1860 registered at Police Station Sadar Shri Muktsar Sahib, District Sri Muktsar Sahib (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