



301 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32895-2024
Date of decision: 20.01.2025

SUKHCHAIN SINGH AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioners.
Mr. Rishabh Singla, AAG, Punjab.
None for respondent Nos.2 and 3.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.22 dated 16.03.2024 under Sections 323, 325, 341, 34 of IPC, registered at Police Station Majitha, District Amritsar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 03.07.2024 (Annexure P-2).

2. The following order was passed on 12.07.2024 :-

"The prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.22, dated 16.03.2024, under Sections 323, 325, 34 of IPC, registered at Police Station Majitha, District Amritsar (Annexure P-1) along with all subsequent proceedings arising therefrom, on the basis of compromise dated 03.07.2024 (Annexure P-2) arrived at between the parties.

Notice of motion.

At the asking of the Court, Ms. Manjot Kaur, AAG, Punjab, appears and accepts notice on behalf of respondent No.1-State. She seeks time to file response.

Let a copy of the paper book be supplied to her during the course of the day.

Appearance has also been caused by Mr. Akun Sheemar, Advocate on behalf of respondent Nos.2 & 3 and has filed his



Power of Attorney in Court today, which is taken on record. He affirmed the factum of compromise between the parties.

Let the parties to appear before the trial Court/Duty Magistrate, as the case may be, within a period of 30 days, for getting their statements recorded with regard to the compromise. The statements of the parties with regard to the compromise may be recorded on the same day or on any other day convenient to Illaqa/Duty Magistrate but not later than six days thereof, however, that would be subject to payment of costs of Rs.5,000/- to be deposited by the petitioners with the concerned District Legal Services Authority. A receipt thereof shall be produced before the concerned Magistrate before recording the statements.

The trial Court is directed to report on the following points:-

- (i) how many total accused are facing the trial;*
- (ii) whether challan is presented in the Court? If so, against how many accused;*
- (iii) whether any of the accused was declared proclaimed offender at any stage of trial;*
- (iv) status/stage of the trial/case;*
- (v) to record the statements of all the concerned parties with regard to the genuineness and validity or otherwise of the compromise;*
- (vi) to record the statement of Investigating Officer with regard to points No.(i), (ii), (iii) and (iv) as above.*

Report be sent through the District & Sessions Judge, before the next date of hearing.

Adjourned to 25.11.2024.”

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.22 dated 16.03.2024 under Sections 323, 325, 341, 34 of IPC, registered at Police Station Majitha, 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 |