



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M No.35552 of 2024 (O&M)
Date of decision: 10.02.2025

Kaka Singh @ Parkash Singh and others
.....Petitioners
Versus
State of Punjab and another
.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anurag Shaharan, Advocate
for Ms. Gagandeep Kaur, Advocate
for the petitioners.

Mr. Nitesh Sharma, DAG, Punjab.

Ms. Supriya Arora, Advocate
for Ms. Bhupinder Kaur Bhangu, 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 FIR No.98 dated 30.07.2023 registered under Sections 341, 323, 324, 506, 148, 149 of Indian Penal Code, 1860 (in short 'IPC') at Police Station Sadar Sangrur, District Sangrur and all other subsequent proceedings arising therefrom, on the basis of compromise dated 12.02.2024 (Annexure P-2).

2. The following order was passed on 05.09.2024:

“XX XX XX XX

Learned counsel for the petitioners submits that the compromise has been effected with all the victims/injured.

Notice of motion.

2025:PHHC:018975



Mr. Pardeep Bajaj, DAG, Punjab waives service on behalf of the respondent-State whereas, Ms. Bhupinder Kaur Bhangu, Advocate has filed Vakalatnama on behalf of respondent no. 2 and has filed memo of appearance on behalf of respondent No.3 and has submitted that she has no objection in case the FIR (supra) is quashed on the basis of compromise (Supra). She is permitted to file Vakalatnama on behalf of respondent no. 3 before the Registry of this Court within 15 days from today.

In view of above, the parties are directed to appear before the learned Illaqa Magistrate/trial Court concerned within one month from today to get their respective statements recorded regarding the compromise and after recording their respective statements, the learned trial Court/Illaqa Magistrate concerned is directed to send the same alongwith its report, regarding the genuineness of compromise, on or before the next date of hearing in the present petition, specifically with regard to the following facts:-

- 1. Number of persons arrayed as accused in the FIR;*
- 2. Whether any accused is proclaimed offender;*
- 3. Stage of the trial/proceedings.*
- 4. Whether the compromise is genuine, voluntary, and without any coercion or undue influence and*
- 5. Total number of victims and their names.*

It is made clear that complainant/private respondent should also appear in person before the learned trial Court/Illaqa Magistrate concerned to get his statement recorded regarding compromise.

To come up on 23.10.2024.

The State counsel is also directed to verify the factum of compromise by the date fixed.

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A copy of this order be sent to the learned trial Court/Illaq Magistrate for compliance.”

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 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 FIR No.98 dated 30.07.2023 registered under Sections 341, 323, 324, 506, 148, 149 IPC at Police Station Sadar Sangrur, District Sangrur and all other subsequent proceedings arising therefrom, are quashed qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

10.02.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No