

CRM-M-36832-2022 (O&M)

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281 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-36832-2022 (O&M)

Date of Decision: 16.01.2025

SURJIT @ BITTI AND ANOTHER

...Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Bhawesh Chaudhary, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Jaswinder Singh Rana, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. The present petition has been filed seeking quashing of FIR No. 62, dated 03.11.2019, under Sections 420, 120-B of Indian Penal Code registered at Police Station Patara, District Jalandhar and all subsequent proceedings arising therefrom on the basis of compromise dated 10.06.2022 (Annexure P-2).

2. The following order was passed on 13.08.2024:

“Mr. Jaswinder Singh Rana, Advocate has put in appearance on behalf of respondent No.2/complainant and has filed Power of Attorney, which is taken on record.

Since the instant petition has been filed seeking quashing of FIR (Annexure P-1) on the basis of compromise, this Court deems appropriate that the statements of the parties be recorded qua the factum of compromise.

List again on 16.1.2025.



The parties are directed to move an application before the trial Court/Illaq Magistrate concerned for getting their statements recorded qua the factum of compromise. As and when any such application is moved and put up before the trial Court/Illaq Magistrate, the trial Court/Illaq Magistrate shall consider the said application and do the needful for recording the statements of the parties qua the factum of the compromise, on any convenient date. After recording the statements of all the affected parties, and upon getting requisite information from Investigating Officer, the trial Court/Illaq Magistrate shall submit its report on the basis of the statements so recorded, broadly on the following aspects:

- (i) Whether there is any other accused other than the petitioners, arrayed in this petition.*
- (ii) Whether there is any other complainant or affected/aggrieved party other than the respondents, arrayed in the petition.*
- (iii) Whether any accused has been declared Proclaimed Offender?*
- (iv) Whether the compromise in question is found to be a valid compromise and has been effected without there being any kind of influence or coercion?*

The report be submitted before this Court on or before the next date.”

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)**

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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. 62, dated 03.11.2019, under Sections 420, 120-B of Indian Penal Code registered at Police Station Patara, District Jalandhar along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

16.01.2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>