



CRM-M-47396-2024 (O&M)

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245 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-47396-2024 (O&M)

Date of Decision: 07.01.2025

MALKEET SINGH AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kuldip Singh, Advocate for
Mr. H.S. Sidhu, Advocate for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Sameydeen, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J.(ORAL)

1. The prayer in the present petition filed under Section 482 of Cr.P.C is for quashing of FIR No.31 dated 27.02.2023 under Sections 324, 323, 506, 148, 149 IPC (Section 326 IPC added later on) registered at Police Station Mamdot, District Ferozepur along with all subsequent proceedings arising therefrom on the basis of compromise dated 20.08.2024 (Annexure P-2) arrived at between the parties.

2. The following order was passed on 23.09.2024:

“The prayer in the present petition filed under Section 482 of Cr.P.C is for quashing of FIR No.31 dated 27.02.2023 under Sections 324, 323, 506, 148, 149 IPC (Section 326 IPC added later on) registered at Police Station Mamdot, District Ferozepur along with all subsequent proceedings arising therefrom on the basis of compromise dated 20.08.2024 (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. A copy of the paper book be supplied to her during the course of the day.

Ms. Riya Mittal, Advocate has appeared on behalf of respondent No.2 and filed her power of attorney in the Court today. The same is taken on record. She affirms 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 trial Court/Duty Magistrate but not later than six days thereof. 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 19.12.2024.

The petitioners shall deposit costs of Rs.10,000/- with Punjab and Haryana High Court Lawyers Welfare Fund on or before the date of recording of their statements and produce copy of receipt before the Trial Court/Duty 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 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834 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.31 dated 27.02.2023 under Sections 324, 323, 506, 148, 149 IPC (Section 326 IPC added later on) registered at Police Station Mamdot, District Ferozepur along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

07.01.2025
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No