



CRM-M-49282-2024 (O&M)

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281 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-49282-2024 (O&M)
Date of Decision: 25.02.2025

MANPREET SINGH @ GAJNI AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. S.K. Bokolia, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Amandeep Singh, Advocate
for respondent No. 2.

Harpreet Singh Brar, J. (Oral)

1. The petitioners seek quashing of DDR No.40 dated 04.06.2022 under sections 323, 324, 326, 34 IPC registered at Police Station Badhni Kalan, District Moga in FIR No.71 dated 10.06.2022 under Sections 323, 324, 325, 326 and 34 IPC registered at Police Station Badhni Kalan, District Moga and all consequential proceedings emanating therefrom on the basis of a compromise dated 21.09.2024 (Annexure P-3) having been effected between the parties.

2. The following order was passed on 01.10.2024:

“The petitioners seek quashing of DDR No.40 dated 04.06.2022 under sections 323, 324, 326, 34 IPC registered at Police Station Badhni Kalan, District Moga in FIR No.71 dated 10.06.2022 under Sections 323, 324, 325, 326 and 34 IPC registered at Police Station Badhni Kalan, District Moga and all consequential proceedings emanating therefrom on the basis of a compromise dated 21.09.2024 (Annexure P-3) having been effected between the parties. Notice of motion for 25.02.2025.

At this stage, Mr. Amandeep Singh, Advocate has put in appearance on behalf of respondent No.2 and has filed



Memo of Appearance, which is taken on record. 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 petitioner, arrayed in this petition.*
- (ii) Whether there is any other complainant or affected/ag-grieved party other than the respondents, arrayed in the petition.*
- (iii) Whether any accused has been declared Proclaimed Of-fender? (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 be-fore 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) Vs. Kaush-alya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court in **Kul-winder Singh Vs. State of Punjab 2007 (3) RCR (CrI.) 1052**, this petition is allowed and DDR No.40 dated 04.06.2022 under sections 323, 324, 326, 34 IPC registered at Police Station Badhni Kalan, District Moga in FIR No.71 dated



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10.06.2022 under Sections 323, 324, 325, 326 and 34 IPC registered at Police Station Badhni Kalan, District Moga along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

25.02.2025
Ajay Goswami

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