



235 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-56014-2023 (O&M)
Date of Decision: **31.01.2025**

Sourabh Gill alias Sourabh alias Shori and others ...Petitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Akhil Sharma, Advocate for
Mr. Ramnish Puri, Advocate for the petitioners.

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Gurpreet Singh, Advocate for
Mr. Samay Sandhawalia, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

CRM-46699-2023

Application for exemption is allowed as prayed for.

Main case

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.55 dated 22.03.2023 under Sections 323/324/341/506/148/149 of IPC, 1860 (Section 326 of IPC was added later on) registered at Police Station Gate Hakima, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 10.10.2023 (Annexure P-2).

2. The following order was passed on 06.11.2023 by the co-ordinate Bench:

“Contends that matter has been compromised between the parties i.e. petitioners as well as respondent No.2 and there is no other criminal case pending against the petitioners.

(2) *Notice of motion.*

- (3) *On asking of the Court, Mr. C.L.Pawar, Addl. A.G., Punjab accepts notice on behalf of respondent No.1/State.*
- (4) *Mr. Samay Sandhawalia, Advocate, who is present in the Court, has filed power of attorney on behalf of respondent No.2. The same is taken on record. He acknowledged the factum of compromise dated 26.08.2023 (P-2) arrived at between the parties at their own level.*
- (5) *Requisite number of copies of the petition be supplied to learned Counsel for the respondents during the course of day.*
- (6) *Petitioners shall file their respective affidavits that there is no other criminal case(s) pending against them and also give the details of any other FIR(s), already quashed on the basis of compromise.*
- (7) *In view of the above, let parties appear before the Court of learned Illaqa Magistrate/trial Court on 18.12.2023 for recording their statement(s) with reference to the compromise, if any, entered into between them.*
- (8) *Learned Illaqa Magistrate/trial Court shall record the statement(s) of all accused, complainant/injured and victim, if any, and submit a report to this Court before the next date of hearing containing the following information:-*
- (i). Whether the statements of the parties are bona fide and not result of any pressure or coercion etc. in any manner?*
 - (ii). Whether the compromise effected between the parties is genuine and valid?*
 - (iii). Whether all the accused, complainant and injured are party to the compromise and if not, the details/particulars of such person(s)?*
 - (iv). Whether any other case is pending against either of the parties or not, if yes, the details thereof?*
 - (v). Whether any of the persons involved in this case/dispute has been declared a proclaimed offender?*
 - (vi). Whether any of the petitioner(s) is/are previous convict or not?*
- (9) *List before this Court on 08.01.2024 for further consideration.*
- (10) *Meanwhile, learned State Counsel shall also get the instructions in the matter as to whether the State has any objection?*
- (11) *Copy of this order be sent to learned Judicial Officer concerned forthwith for information and strict compliance.”*

3. In compliance of the above 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. Learned counsel for the petitioners has produced a copy of slip dated 22.01.2025 and submits that in compliance of the previous order dated 27.11.2024 passed by this Court, costs of Rs.10,000/- has been deposited with the Poor Patient Welfare Fund, PGIMER, Chandigarh. Same is taken on record.

5. 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, 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.55 dated 22.03.2023 under Sections 323/324/341/506/148/149 of IPC, 1860 (Section 326 of IPC was added later on) registered at Police Station Gate Hakima, District Amritsar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

31.01.2025
Parveen kumar

(HARPREET SINGH BRAR)
JUDGE

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