



CRM-M-62524-2024

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

256

CRM-M-62524-2024

Date of Decision: 10.01.2025

RAM SINGH AND OTHERS

.... PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

.... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Ms. Kuljeet Kaur, Advocate
for the petitioners.

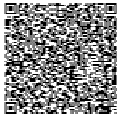
Mr. Nitesh Sharma, D.A.G., Punjab.

HARPREET SINGH BRAR J.(ORAL)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of the General Diary Number DDR No.13 dated 14.10.2024 under Sections 323, 325, 347, 506, 148, 149 of the Indian Penal Code 1860 (for short 'IPC'), registered at Police Station City Kurali, District SAS Nagar (Mohali) (Annexure P-1) as cross case/version in FIR No.53 dated 04.10.2023 under Sections 323, 341, 336, 34 of the IPC and Section 25 of Arms Act, 1959, registered at Police Station City Kurali, District SAS Nagar (Mohali) (Annexure P-2) along with all subsequent proceedings arising therefrom on the basis of compromise dated 25.11.2024 (Annexure P-3).

2. The following order was passed on 13.12.2024:

*“The petitioners arraigned as accused in the FIR
captioned below, have come up before this Court under*



Section 482 CrPC to quash the FIR and all consequential proceedings based on the compromise amicably arrived at with the victim(s).

Notice served upon the official respondent through the State's counsel. In case the State wants to file its response, they must do so positively before the next date. State counsel submits that Atinderpal Singh is one of the injured but the petitioner did not arraign him as a respondent in the present petition.

On the oral request of the petitioner, Atinderpal Singh is made as a party i.e. respondent No. 4.

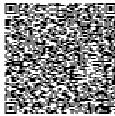
Amended Memo of Parties be filed by tomorrow i.e. 16.12.2024.

Counsel appearing for the private respondents submits that he has also put in appearance on behalf of Atinderpal Singh and his statement be also recorded before the trial Court. He further states on instructions that there is no objection if the FIR and all consequent proceedings mentioned in this petition are quashed.

Given above, the petitioners and the private respondents, and all other victim(s), if not arraigned as respondents, to appear before the concerned Trial Court/Illaq Magistrate/Duty Magistrate on or before 20.12.2024, for getting their statements recorded with regard to the compromise arrived at between them. Before recording their statements, the Ld. Judge should ensure the following aspects and send the report, in the following format, preferably before the next date fixed in this court :

<i>Name of the reporting Court</i>	
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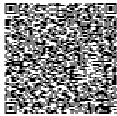
<i>DDR</i>	<i>Dated</i>	<i>Police Station</i>	<i>Sections</i>
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<i>No.</i>			
<i>13</i>	<i>14.10.2024</i>	<i>City Kurali, District SAS Nagar (Mohali)</i>	<i>323, 325, 347, 506, 148, 149 IPC</i>
<i>in</i>			
<i>FIR No.</i>	<i>Dated</i>	<i>Police Station</i>	<i>Sections</i>
<i>53</i>	<i>04.10.2023</i>	<i>City Kurali, District SAS Nagar (Mohali)</i>	<i>323, 341, 336, 34 IPC and 25 of Arms Act</i>

<i>Criminal Case no. before trial Court</i>	
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<i>1.</i>	<i>Names of the complainant/victims(s)/aggrieved persons(s)</i>	
<i>2.</i>	<i>Dates on which the statement(s) of the complainant/victims(s)/aggrieved persons(s) were recorded</i>	
<i>3.</i>	<i>Has the identity of the complainant/victims(s)/aggrieved persons(s) been verified?</i>	<i>Yes/No</i>
<i>4.</i>	<i>Whether all the victims/ all the aggrieved persons have compromised the matter?</i>	<i>Yes/No</i>
<i>5.</i>	<i>Is there pressure, threat, or coercion upon the victim(s)/aggrieved person(s)/complainant?</i>	<i>Yes/No</i>
<i>6.</i>	<i>Names of the accused person(s)</i>	
<i>7.</i>	<i>Dates on which the statement(s) of the accused persons(s) recorded</i>	
<i>8.</i>	<i>Whether all the accused have compromised the matter? If no, then the names of the accused who have compromised.</i>	<i>Yes/No</i>
<i>9.</i>	<i>Whether proclamation proceedings are pending against any accused?</i>	<i>Yes/No</i>
<i>10.</i>	<i>Has the police report been filed or</i>	<i>Yes/No</i>



	<i>not?</i>	
11.	<i>Notice of accusation /Charges have been framed or not?</i>	<i>Yes/No</i>
12.	<i>Sections of statutes invoked in the matter</i>	
13.	<i>Whether the court is satisfied with the genuineness of the compromise?</i>	<i>Yes/No</i>

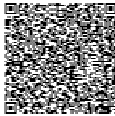
There would be no need for a certified copy of this order, and any Advocate for the Petitioners/State can download this order and other particulars as may be required, from the official web page of this Court, and attest it to be a true copy. The concerned court can also verify its authenticity and may download and use the downloaded copy for immediate use, if required.

List on 10.01.2025.”

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. Reply by way of affidavit of Mohit Kumar Aggarwal, PPS, Deputy Superintendent of Police, Sub Division Kharar-2, District SAS Nagar filed on behalf of State 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**, 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 (CrI.) 1052**,



this petition is allowed and General Diary Number DDR No.13 dated 14.10.2024 under Sections 323, 325, 347, 506, 148, 149 of the Indian Penal Code 1860, registered at Police Station City Kurali, District SAS Nagar (Mohali) (Annexure P-1) as cross case/version in FIR No.53 dated 04.10.2023 under Sections 323, 341, 336, 34 of the Indian Penal Code 1860 and Section 25 of Arms Act, 1959, registered at Police Station City Kurali, District SAS Nagar (Mohali) (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

10.01.2025
anju

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