



CRM-M-64888-2024 (O&M)

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298(2) IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-64888-2024 (O&M)
Date of Decision: 18.02.2025

HARBANS SINGH AND OTHERS

...Petitioners

V/S

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. G.S. Randhawa, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Karamjit Sigh Maangat, Advocate for
respondents No. 2 and 3.

HARPREET SINGH BRAR J. (Oral)

1. Through the instant petition, prayer is made for quashing of DDR No.24 dated 29.06.2022 under Sections 324, 323, 341, 148, 149 IPC in FIR No.87 dated 28.06.2022, under Sections 323, 324, 341, 148, 149 IPC (Section 326 IPC added later on), registered at Police Station Sri Hargobindpur, Police District Batala and all subsequent proceedings enumerating therefrom, on the basis of compromise dated 16.12.2024 (Annexure P-3).

2. The following order was passed on 20.12.2024:

“Through the instant petition, prayer is made for quashing of DDR No.24 dated 29.06.2022 under Sections 324, 323, 341, 148, 149 IPC in FIR No.87 dated 28.06.2022, under Sections 323, 324, 341, 148, 149 IPC (Section 326 IPC added later on), registered at Police Station Sri Hargobindpur, Police District Batala and all



subsequent proceedings enumerating therefrom, on the basis of compromise dated 16.12.2024 (Annexure P-3).

Notice of motion.

Mr. Pardeep Bajaj, DAG, Punjab, waives service on behalf of the respondent-State. Mr. Karamjit Singh Maangat Advocate caused appearance on behalf of respondents No.2 & 3 and he undertakes to file his duly executed vakalatnama in his favour with the registry of this Court within 15 days from today. He further submits that he has no objection in case the FIR (supra) is quashed on the basis of compromise (Supra).

In view of above, the parties are directed to appear before the learned Illaqa Magistrate/trial Court concerned within one month from today to get their respective statements recorded regarding the compromise and after recording their respective statements, the learned trial Court/Illaqa Magistrate concerned is directed to send the same alongwith its report, regarding the genuineness of compromise, on or before the next date of hearing in the present petition, specifically with regard to the following facts:-

- 1. Number of persons arrayed as accused in the FIR;*
- 2. Whether any accused is proclaimed offender;*
- 3. Stage of the trial/proceedings.*
- 4. Whether the compromise is genuine, voluntary, and without any coercion or undue influence and*
- 5. Total number of victims and their names.*

It is made clear that complainant/private respondent should also appear in person before the learned trial Court/Illaqa Magistrate concerned to get his statement recorded regarding compromise.

To come up on 18.02.2025.

The State counsel is also directed to verify the factum of compromise by the date fixed.



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A copy of this order be sent to the learned trial Court/Illaq Magistrate for compliance.”

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. 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 DDR No.24 dated 29.06.2022 under Sections 324, 323, 341, 148, 149 IPC in FIR No.87 dated 28.06.2022, under Sections 323, 324, 341, 148, 149 IPC (Section 326 IPC added later on), registered at Police Station Sri Hargobindpur, Police District Batala along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

18.02.2025
Ajay Goswami

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*