

**320 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

**CRM-M-49298-2024 (O&M)
Date of Decision: 05.05.2025**

HARPREET SINGH ALIAS HAPPY AND ANOTHER ...Petitioners

V/S

STATE OF PUNJAB AND OTHERS ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gagandeep Singh Bajwa, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. G.S. Randhawa, Advocate for

Mr. L.S. Lakhanpal, Advocate for respondents No. 2 and 3.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this petition is for quashing of FIR No.142, dated 09.11.2018, registered under Sections 324, 323, 326, 506, 34 IPC (Section 326 IPC added later on) at Police Station Maqboolpura, Amritsar City, Punjab, along with other consequential proceedings arising therefrom, on the basis of the compromise, dated 16.09.2024, Annexure P-2.

2. The following order was passed on 01.10.2024:

“Prayer in this petition is for quashing of FIR No.142, dated 09.11.2018, registered under Sections 324, 323, 326, 506, 34 IPC (Section 326 IPC added later on) at Police Station Maqboolpura, Amritsar City, Punjab, along with other consequential proceedings arising therefrom, on the basis of the compromise, dated 16.09.2024, Annexure P-2.

It has been argued by learned counsel for the petitioners that the parties have compromised the matter and as such, the present FIR is liable to be quashed.

Notice of motion.

On the asking of the Court, Mr.Tarun Aggarwal, Sr.DAG, Punjab, who is present in Court, accepts notice on behalf of respondent No.1 and Mr.L.S.Lakhanpal, Advocate, accepts notice on behalf of respondents No.2 and 3 and endorses the contention raised by learned counsel for the petitioners and has not denied the factum of compromise effected between the parties.

Adjourned to 08.01.2025.

Let the State file status report.

In the meanwhile, both the parties are directed to appear before the concerned Illaqa Magistrate/Duty Magistrate on 14.11.2024 for recording their statements, who shall record their respective statements with regard to the genuineness/correctness of the compromise and that the compromise is not the result of any fraud or misrepresentation and is the result of free will of the parties. It would also be verified that besides the accused (petitioners) mentioned in the petition, there is no other accused in the FIR and the parties are not involved or declared proclaimed offender in any other criminal case. The Illaqa Magistrate/Duty Magistrate shall send his/her report through learned Sessions Judge concerned on or before the date fixed before this Court.”

Thereafter, on 08.01.2025, parties were again directed to record their statements.

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 (Crl.) 1052**, this petition is allowed and FIR No.142, dated 09.11.2018, registered under Sections 324, 323, 326, 506, 34 IPC (Section 326 IPC added later on) at Police Station Maqboolpura, Amritsar City, Punjab along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

05.05.2025

Ajay Goswami

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*