



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

CRM-M-20742-2024 (O&M)

Date of Decision: 31.01.2025

Manpreet Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mohinder Singh Joshi, Advocate for
Mr. Ravneet Singh Joshi, Advocate for the petitioners.

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Shivam Sharma, Advocate for respondent Nos.2 and 3.

HARPREET SINGH BRAR, J. (ORAL)

CRM-31040-2024

This is an application under Section 482 Cr.PC seeking addition of Section 379B of IPC in the head note of the main petition. It is stated that Section 379B of IPC was missed to mention inadvertently in the head note of the petition although it has been mentioned in the prayer clause and para No.2 of the main petition.

In view of the above mentioned reasons, application is allowed. Accordingly, Section 379B of IPC, 1860 is ordered to be written in the headnote of the main petition. Registry is directed to do the needful.

CRM stands disposed of.

Main case

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.167 dated 06.12.2023 under Sections 148/149/323/324/379B/427/458/506 of IPC, 1860 registered at Police Station

Tappa Mandi, District Barnala (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P-2) and affidavit dated 12.12.2023 (Annexure P-3).

2. The following order was passed on 07.05.2024 by the co-ordinate Bench:-

“Prayer in the present petition is for quashing of FIR registered under Sections 148, 149, 323, 324, 427, 458, 506 IPC along with all subsequent proceedings arising therefrom on the basis of compromise.

Notice of motion.

Mr. Athar Ahmed, DAG, Punjab accepts notice on behalf of the respondent-State, whereas Mr. Shivam Sharma, Advocate accepts notice on behalf of respondents No.2 & 3 and filed his Vakalatnama. He acknowledged the factum of compromise arrived at between the parties.

In view of the above, the parties are directed to appear before the Illaqa Magistrate/trial Court on 16.05.2024 or any other date convenient to the Court concerned, for getting their statements recorded with regard to the compromise. The Illaqa Magistrate/trial Court shall submit the report on or before the next date of hearing. The report be forwarded to this Court specifying the followings:-

- 1. the number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/P.O. in the case;*
- 2. the name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*
- 3. the stage of trial/proceedings;*
- 4. If the compromise is genuine, voluntary and out of free will of the parties.*

Report of the Illaqa Magistrate/trial Court be awaited for 29.07.2024.

In the meanwhile, learned State counsel is also requested to file a status report as regards the involvement of the petitioner(s) in other cases.”

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. 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.167 dated 06.12.2023 under Sections 148/149/323/324/379B/427/458/506 of IPC, 1860 registered at Police Station Tappa Mandi, District Barnala (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