

SHER SINGH VS STATE OF PUNJAB AND ANOTHER

Present: - Ms. Ramneet Nijjar, Advocate, for the petitioner.

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This is a petition filed under Section 482 of the code of Criminal Procedure, 1973, for quashing of cross version GD No. 38 in case FIR No. 62 dated 12.05.2016 under Sections 323, 324, 326, 148, 149 IPC, (Annexure P-2) registered at Police Station Maksoodan, District Jalandhar, on the basis of compromise deed dated 17.03.2023 (Annexure P-3) along with all consequential proceedings arising therefrom.

Learned counsel for the petitioner, inter alia, submits that the respondent No.2-Jodh Singh filed another petition, i.e CRM-M-16937-2023 (Jodh Singh and another vs. State of Punjab and another), seeking quashing of the aforesaid FIR No. 62 dated 12.05.2016, on the basis of compromise and this Court vide order dated 19.04.2023 directed the parties to record their statements before the learned trial Court in the said petition.

She further submits that the cross-version in the said FIR vide GD No. 38 (Annexure P-2) was also registered on the statement of Jodh Singh-respondent No. 2 and now the matter has since been compromised with the intervention of the respectables.

Notice of motion.

On the asking of the Court, Mr. Shubham Kaushik, Assistant Advocate General, Punjab, accepts notice on behalf of the State-respondent No. 1 and Mr. Nipuun Sharma, Advocate, accepts notice on behalf of respondent No.2 and has filed his Vakalatnama which is taken on record.

Learned counsel for respondent No.2 admits the factum of compromise.

Accordingly, the private parties are directed to appear before the concerned trial Court/Illaq Magistrate on 18.05.2023 or any other date, convenient to the Court for recording their statements with regard to compromise/settlement. Trial Court/Illaq Magistrate is directed to submit a report on or before the next date of hearing containing the following information:-

1. Number of persons arrayed as accused in FIR.
2. Whether any accused is proclaimed offender.
3. Whether the compromise is genuine, voluntary and without any coercion or undue influence.
4. Whether the accused persons are involved in any other case or not.
5. The trial Court is also directed to record the statement of the Investigation Officer as to how many victims/complainants are there in the FIR.

To await report of the trial Court, adjourned to 01.06.2023.

15.05.2023  
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**(SANJIV BERRY)**  
**JUDGE**