



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

284

CRM-M-32043-2026

Date of decision: 7th August, 2026

Rakesh Kumar Makkar and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vineet Sachdeva, Advocate for the petitioners.

Mr. Durgesh Garg, Assistant Advocate General, Punjab.

Mr. Rahul Arora, Advocate for respondents No. 2 and 3.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 528 of Bharatiya Nagrik Suraksha Sanhita, 2023 (for short-‘BNSS’) for quashing of FIR No. 335 dated 27.12.2025 registered under Sections 318(4) and 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’) at Police Station Dinanagar, District Gurdaspur and all the subsequent proceedings arising therefrom, on the basis of compromise dated 24.05.2026 (Annexure P-2).

2. This Court vide order dated 29.05.2026 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before the learned Judicial Magistrate Ist Class, Gurdaspur and got their statements recorded. On the basis of the statements so recorded, learned Judge has submitted report dated 07.07.2026 to the effect that the compromise has been



effected between the parties voluntarily and without any coercion or undue influence. Though in the report submitted by the concerned Judicial Magistrate, one of the accused Amritpal Singh has been declared as proclaimed offender, however, from the statements of the Investigating Officer as well as from the other record, it is apparent that no person with the name of Amritpal Singh is nominated in this case. It is informed that the learned Magistrate has given this observations on the basis of misconception.

4. Learned State counsel as well as counsel for respondents No.2 and 3 have not disputed the factum of compromise between the parties.

5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

6. Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon’ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and FIR No. 335 dated 27.12.2025 registered under Sections 318(4) and 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’) at Police Station Dinanagar, District Gurdaspur and all the subsequent proceedings arising therefrom, on the basis of compromise dated 24.05.2026(Annexure P-2) are quashed qua the petitioners.

[MANISHA BATRA]
JUDGE

7th August, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |