



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

(130)

CRM-M-35862-2026 (O&M)**Date of Decision:-02.09.2026****RAJESH KUMAR**

... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present: Mr. Dhawaljeet, Advocate,
for the petitioners.

Mr. J.S. Rattu, DAG, Punjab.

Mr. Abhishek Kathpal, Advocate,
for respondent No.2.

VIRINDER AGGARWAL, J. (Oral)

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/Section 482 of Cr.P.C. seeking quashing of FIR No. 0062 dated 27.04.2022 under Sections 409 and 406 of IPC (corresponding to Sections 316(2) and 316(1) of BNS at Police Station Sirhali Khurd, District Tarn Taran along with all consequential proceedings arising therefrom, on the basis of the compromise dated 08.06.2026 (Annexure P-2) arrived at between the parties.

2. Vide order dated 22.07.2026, the affected parties were directed to appear before the learned Trial Court/Illaq Magistrate for recording of their respective statements with regard to the compromise.

3. Report has since been received from learned trial Court, in pursuance to the directions of this Court wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report(s) compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the private respondent has



also made statement to the effect that he would have no objection if the FIR qua the accused- petitioner is quashed.

4. The trial Court has annexed the statements of the parties along with its report.

5. Learned State counsel too submits that there are no other accused other than the petitioner.

6. Learned counsel for the petitioner contended that the name of the petitioner's father has inadvertently been recorded as Balwinder Singh, whereas his correct name is Balwinder Pal. It is further contended that, in the FIR, the name of the petitioner's father has been recorded as Balwinder Kumar. The petitioner had submitted an affidavit before the learned Trial Court at the time of making statement, clarifying that the name of his father is Balwinder Pal and not Balwinder Kumar, as recorded in the FIR. Accordingly, the name of the petitioner's father be taken as Balwinder Pal @ Balwinder Kumar.

7. In view of the report of the learned Trial Court, and the principles laid down by Hon'ble the Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, and also by the Full Bench of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it qua petitioner, are hereby quashed.

8. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

9. Petition stands disposed of.

(VIRINDER AGGARWAL)
JUDGE

02nd September, 2026
S. Pathania

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No