



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

277

CRM-M-34527-2024(O&M)
Date of Decision: 18.09.2024

NISHAN SINGH

....Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Gagandeep Kumar Tiwari, Advocate for
Mr. Gurmohan Preet Singh, Advocate for the petitioner.

Mr. Satjot Singh, AAG, Punjab.

Mr. Anosh Samson, Advocate for
Mr. Ajaypal Singh, Advocate for respondent no.2

MANISHA BATRA, J. (Oral)

The present petition has been filed for quashing of FIR No.00118 dated 01.07.2024 under Sections 125, 351(2), 351(3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Analogous to Sections 336 and 506 IPC), Section 30 of Arms Act, 1959 registered at Police Station Beas District Amritsar Rural and all the subsequent proceedings arising therefrom, on the basis of compromise dated 09.07.2024 (Annexure P-2).

2. This Court vide order dated 07.08.2024 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 Sub Divisional Judicial Magistrate, Baba Bakala Sahiband got their



statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 09.09.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Learned State counsel as well as counsel for respondent No.2 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.00118 dated 01.07.2024 under Sections 125, 351(2), 351(3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Analogous to Sections 336 and 506 IPC), Section 30 of Arms Act, 1959 registered at Police Station Beas District Amritsar Rural and all the subsequent proceedings arising therefrom, on the basis of compromise dated 09.07.2024 (Annexure P-2) are quashed qua the petitioner.

(MANISHA BATRA)
JUDGE

18.09.2024
Deepak Patwal

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