



246 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-40175-2024 (O&M)

Date of Decision: 24.09.2024

RAMANDEEP JINDAL

...Petitioner

V/S

UT CHANDIGARH AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kanishk Swaroop, Advocate
for the petitioner.

Mr. Manish Bansal, PP UT Chandigarh with
Ms. Diksha Sharma, Advocate.

Mr. Ankush Thakur, Advocate
for respondents No. 2 and 3.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No. 38 dated 26.03.2024 under Sections 354/354(D)/323/336/506/34 of IPC and Section 25 of Arms Act registered at Police Station Central Sector 17, Chandigarh (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 02.04.2024 (Annexure P-2).

2. The following order was passed on 21.08.2024:

"CRM-33148-2024"

The present application has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for addition of offence under Section 25 of Arms Act in the head note as well as prayer clause of the main case.

Learned counsel for the applicant/petitioner inter alia contends that the FIR in question was registered on 26.03.2024 at Police Station Central Sector 17, Chandigarh under Sections 354/354(D)/323/336/506/34 of IPC. He further submits that offence



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under Section 25 of Arms Act was added vide separate DDR. As such, the bail application was filed without mentioning the offence under Section 25 of Arms Act.

Application is allowed and offence under Section 25 of Arms Act is ordered to be incorporated in the head note as well as prayer clause of the main case.

Registry is also directed to add Section 25 of Arms Act in the head note as well as in the prayer clause of the main case.

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This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.38 dated 26.03.2024 under Sections 354/354(D)/323/336/506/34 of IPC and Section 25 of Arms Act registered at Police Station Central Sector 17, Chandigarh (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 02.04.2024 (Annexure P-2).

Learned counsel for the petitioner inter alia contends that with the intervention of the respectables and friends, the dispute between the petitioner and respondent No.2 has been amicably resolved. He further submits that in view of the law laid down by Hon'ble Supreme Court in 'Jayrajsinh Digvijaysinh Rana Vs. State of Gujarat and another' 2012(4) RCR (Crl.) 589 and this Court in 'Parambir Singh Gill Vs. Malkiat Kaur' 2010(1) RCR (Crl.) 256, partial compromise is permissible in case the compromise effected between the parties is genuine and voluntary.

Notice of motion for 24.09.2024.

At this stage, on the asking of the Court, Mr. Manish Bansal, P.P., U.T. Chandigarh accepts notice on behalf of respondent No.1-State and Mr. Ankush Thakral, Advocate accepts notice for respondents No.2 & 3 and files his memorandum of appearance and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day. Learned counsel appearing for respondents No.2 & 3 is directed to file his power of attorney on or before the next date of hearing.

Service is complete.



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In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 24.09.2024.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

3. In compliance of the aforesaid 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, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834 and 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. 38 dated 26.03.2024 under Sections 354/354(D)/323/336/506/34 of IPC and Section 25 of Arms Act registered at Police Station Central Sector 17, Chandigarh (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

24.09.2024

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No