



CRM-M-43253-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-43253-2024
Date of decision: 4th October, 2024

Amarbir Singh and others
Versus
State of Punjab and another
...Petitioners
...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. H.S. Mann, Advocate for the petitioners.
Mr. Rubal Pawar, AAG, Punjab.
Mr. Sumeet Puri, Advocate for respondent No.2.

MANISHA BATRA, J (ORAL):-

Prayer in this petition filed under Section 528 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') is for quashing of FIR
No.91 dated 17.08.2024 under Sections 140, 142, 351 and 62 of Bharatiya
Nyaya Sanhita, 2023 (BNS) registered at Police Station Majitha Road,
Amritsar City, District Amritsar and all subsequent proceedings arising
therefrom on the basis of compromise dated 23.08.2024 (Annexure P-2).

2. This Court vide order dated 03.09.2024 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



learned Judicial Magistrate Ist Class, Amritsar and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 18.08.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence. The quashing petition in CRM-M-45801-2024 qua the remaining accused Parneet Singh and Hardial Singh has also been quashed vide order of even date.

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 F.I.R. 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.91 dated 17.08.2024 under Sections 140, 142, 351 and 62 of Bharatiya Nyaya Sanhita, 2023 (BNS) registered at Police Station Majitha Road, Amritsar City, District Amritsar and all subsequent proceedings arising therefrom on the basis of compromise dated 23.08.2024 (Annexure P-2) are quashed qua the petitioners.

[MANISHA BATRA]
JUDGE

4th October, 2024

Parveen Sharma

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