



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

284

CRM-M-48810-2024(O&M)

Date of Decision: 18.11.2024

BALKAR SINGH AND ORS

....Petitioners

VERSUS

STATE OF PUNJAB AND ORS

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Loveleen Nanda, Advocate for the petitioners.

Mr. Rubal Pawar, AAG, Punjab.

Ms. Deepa Negi, Advocate for respondents no.2 & 3.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.0091 dated 14.07.2022 under Sections 379(B), 323, 341, 506, 148, 149 of IPC (Sections 201 and 411 of IPC added later on) registered at Police Station Phase-8, District SAS Nagar, (Mohali) and all the subsequent proceedings arising therefrom, on the basis of compromise dated 18.09.2024 (Annexure P-2).

2 . This Court vide order dated 27.09.2024 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 the learned Judicial Magistrate 1st Class, SAS Nagar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 30.10.2024 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 & 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.0091 dated 14.07.2022 under Sections 379(B), 323, 341, 506, 148, 149 of IPC (Sections 201 and 411 of IPC added later on) registered at Police Station Phase-8, District SAS Nagar, (Mohali) and all subsequent proceedings arising therefrom on the basis of compromise dated 18.09.2024 (Annexure P-2) are quashed qua the petitioners.

(MANISHA BATRA)
JUDGE

18.11.2024

Deepak Patwal

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