



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

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**CRM-M-48239-2024(O&M)**  
**Date of Decision: 22.11.2024**

**KULWINDER SINGH AND ORS**

....Petitioners

**VERSUS**

**STATE OF PUNJAB AND ORS**

....Respondents

**CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

Mr. Munish Gulati, Advocate for respondents no. 2 & 3.

**MANISHA BATRA, J. (Oral)**

The present 2<sup>nd</sup> petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.226 dated 20.08.2021 under Sections 308, 323, 34 of IPC registered at Police Station Sadar Fazilka, District Fazilka and all the subsequent proceedings arising therefrom, on the basis of compromise dated 21.08.2024 (Annexure P-5).

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 Additional Chief Judicial Magistrate, Fazilka and got their statements



recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 08.11.2024 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 respondents Nos.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.226 dated 20.08.2021 under Sections 308, 323, 34 of IPC registered at Police Station Sadar Fazilka, District Fazilka and all subsequent proceedings arising therefrom on the basis of compromise dated 21.08.2024 (Annexure P-5) are quashed qua the petitioners.

22.11.2024

Deepak Patwal

( MANISHA BATRA )  
JUDGE

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