



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

287

CRM-M-49249-2024(O&M)
Date of Decision: 21.11.2024

GURJANT SINGH
STATE OF PUNJAB AND ANR

VERSUS

....Petitioner
....Respondents

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Himanshu Garg, Advocate for the petitioner.
Mr. Amandeep Singh Samra, AAG, Punjab.
Mr. Saurabh Sharma, Advocate for
Mr. Pardeep Bhardwaj, Advocate for respondent no.2.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.169 dated 07.12.2009 under Sections 447, 431, 427, 506, 148, 149 IPC, 13-A PVCL Act registered at Police Station Sadar Malerkotla, District Sangrur, Punjab and all the subsequent proceedings arising therefrom, on the basis of compromise dated 27.08.2024 (Annexure P-3).

2 . This Court vide order dated 03.10.2024 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, Malerkotla 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 counsel for the petitioner has placed on record the copy of judgment as Annexure P-5 showing that the co-accused have faced trial and had been found guilty and convicted by the learned trial Magistrate and had been extended benefit of probation. The petitioner is only one who is facing trial before the trial Court. Further also stated that the petitioner was also declared proclaimed offender in the present FIR, but in CRM-M-44705-2024 vide order dated 09.09.2024, the order of trial Court had been quashed by this Court.

5. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

6. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

7. 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.169 dated



07.12.2009 under Sections 447, 431, 427, 506, 148, 149 IPC, 13-A PVCL Act registered at Police Station Sadar Malerkotla, District Sangrur, Punjab and all subsequent proceedings arising therefrom on the basis of compromise dated 27.08.2024 (Annexure P-3) are quashed qua the petitioner.

21.11.2024

Deepak Patwal

(MANISHA BATRA)
JUDGE

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