



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

289

CRM-M-52312-2024(O&M)
Date of Decision: 02.12.2024

RITIK SABHARWAL AND OTHERS Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS Respondents

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Amrit Paul Nahar, Advocate for the petitioner.

Mr. Satjot Singh, AAG, Punjab.

Mr. Gurmej Singh Bhinder, Advocate
for respondents no.2 and 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.255 dated 08.11.2020 under Sections 323, 324, 148, 149 of IPC registered at Police Model Town, Tehsil and District Hoshiarpur and all the subsequent proceedings arising therefrom, on the basis of compromise dated 09.08.2024 (Annexure P-2).

2 . This Court vide order dated 21.10.2024 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, Hoshiarpur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted copy of report dated 29.11.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence. All the petitioners have been examined through video conferencing mode.

4. Learned State counsel as well as counsel for respondents 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.255 dated 08.11.2020 under Sections 323, 324, 148, 149 of IPC registered at Police Model Town, Tehsil and District Hoshiarpur and all subsequent proceedings arising therefrom on the basis of compromise dated dated 09.08.2024 (Annexure P-2) are quashed qua the petitioners.

(MANISHA BATRA)
JUDGE

02.12.2024
Deepak Patwal

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