



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

259

**CRM-M-2160-2025 (O&M)
Date of decision: 25.04.2025**

Akashdeep Singh and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. M.S. Bhullar, Advocate
for the petitioners.

Mr. Nitesh Sharma, DAG, Punjab
for respondents No.1 to 3.

Mr. S.S. Maini, Advocate
for respondents No.4 and 5.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No.92 dated 23.09.2024 registered under Sections 109, 191(3), 190, 115(2), 118(1), 61(2) of BNS at Police Station Sadar Phagwara, and all other subsequent proceedings arising therefrom in view of the compromise dated 07.01.2025.

2. The following order was passed on 25.03.2025:-

“XX XX XX XX

Learned counsel for the petitioners, inter alia, contends that the factual ingredients to invoke the provision of Section 109 (erstwhile Section 307 IPC) are not available on record.



On 16.01.2025, learned counsel for the petitioners sought time to inform this Court whether the doctor has declared any of the injuries, suffered by the injured/witnesses, as dangerous to life or not.

Learned State counsel, on instructions from ASI Jaswinder Pal Singh, submits that the medical officer of Civil Hospital, Phagwara, after going through the complete hospital record has only declared injury No.2 grievous in nature and none of the injuries have been declared dangerous to life.

*In reply, learned counsel for the petitioners relies upon the judgment passed in “**State of Madhya Pradesh vs Laxmi Narayan and others**”, 2019(5) SCC 688, to submit that once the prima facie offence under Section 307 IPC is not made out, there is no embargo for quashing of FIR (supra) on the basis of compromise.*

Notice of motion for 25.04.2025.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondents No.1 to 3 – State and Mr. Sumeet Sagar Maini, Advocate accepts notice on behalf of respondents No.4 and 5 and files Vakalatnama, which is taken on record. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of

2025:PHHC:052929



compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 25.04.2025.

A copy of the order be sent to learned trial Court/Illaqa Magistrate through fax for compliance.”

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the compromise and the ratio of law laid down by the Hon’ble Supreme Court in ***Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466 and Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63*** and Full Bench of this Court in ***Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052***, this petition is allowed and FIR No.92 dated 23.09.2024 registered under Sections 109, 191(3), 190, 115(2), 118(1), 61(2) of BNS at Police Station Sadar Phagwara and all other subsequent proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

25.04.2025
yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No