



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

294

CRM-M-3131-2025(O&M)
Date of Decision: 04.03.2025

ASHISH KUMAR @ ASHISH KUMAR GAGNEJA AND ORS

....Petitioners

VERSUS

STATE OF PUNJAB AND ORS

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Sapan Dhir, Advocate for the petitioners.

Mr. Rishab Singla, AAG, Punjab.

Mr. Yogesh, Advocate for respondents no.2 to 5.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of impugned general Diary No.53 dated 21.03.2018 and General Diary No.28 dated 02.04.2019, whereby cross case has been registered against the petitioners under Section 323, 506, 148, 149 of IPC (325 added later on) in FIR No.34 dated 18.03.2018 under Sections 323, 506, 148, 149 of IPC (452, 382 IPC deleted later on) registered at Police Station City Malout, District Sri Muktsar Sahib and all the subsequent proceedings arising therefrom, on the basis of compromise dated 07.01.2025 (Annexure P-9).

2. This Court vide order dated 22.01.2025 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 Sub-Divisional Judicial Magistrate, Malout and got their statements



recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 27.02.2025 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 to 5 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 quashing of impugned general Diary No.53 dated 21.03.2018 and General Diary No.28 dated 02.04.2019, whereby cross case has been registered against the petitioners under Section 323, 506, 148, 149 of IPC (325 added later on) in FIR No.34 dated 18.03.2018 under Sections 323, 506, 148, 149 of IPC (452, 382 IPC deleted later on) registered at Police Station City Malout, District Sri Muktsar Sahib and all subsequent proceedings arising therefrom on the basis of compromise dated 07.01.2025 (Annexure P-9) are quashed qua the petitioners.

(MANISHA BATRA)

JUDGE

04.03.2025

Deepak Patwal

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