



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

317

CRM-M-6022-2025

Date of decision: 15.05.2025

DILPREET SINGH SIDHU AND ORS

...Petitioners

Versus

STATE OF U.T CHD AND ANR

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Sunil Toni, Advocate
for the petitioners.

Mr. Anil Kumar Lamdharia, Addl. P.P. UT, Chandigarh.

None for respondent No.2.

SANJAY VASHISTH. J.(Oral)

1. On 03.02.2025, following order was passed:-

1. Instant petition has been filed under Section 528 of the BNSS, 2023 (earlier Section 482 Cr.P.C.), seeking quashing of the below detailed First Information Report (FIR), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 21.12.2024 (Annexure P-2), effected between the parties.

FIR No.	Date	Section(s)	Police Station	District
0079	08.12.2024	115(2), 126(2), 304, 351(2)(iii), 3(5) added 109 of BNS, 2023	Sarangpur	U.T. Chandigarh

Further, details of petitioner(s)/accused and complainant/victim(s), as per memorandum of parties of present petition, is as under:

Sr. No.	Name(s)	Status in present petition viz. Petitioner/accused OR Complainant/victim – respondent No.
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1.	Dilpreet Singh Sidhu	Petitioner No.1
2.	Jitendra Singh	Petitioner No.2
3.	Vijay	Petitioner No.3
4.	Ayaan Kajla	Respondent No.2/complainant/victim

2. In regard to the offence under Section 109 of BNS (307 IPC), learned counsel for the petitioners submits that the allegation is that accused Dilpreet Singh Sidhu (petitioner No.1) sat on top of him and started strangulating him, saying he would kill him today. 2.1 Learned counsel produces the photocopy of the MLR, which is taken on record, and submits that no sign of throttling of the injured is noticed by the doctor. Only the contusion of blakening of the right eye has been highlighted by the doctor, by conducting medico legal examination. Thus, it would always be a issue before the investigating agency to prove beyond doubt that the offence under Section 307 is acutally made out in the present case.

3. All the parties to the dispute, already arrayed as parties in the present petition, have amicably resolved their dispute through compromise dated 21.12.2024 (Annexure P-2). Therefore, if proceedings arising from the aforementioned FIR, and all the consequential proceedings arising therefrom, are quashed, all the parties and their family members will be able to live their lives peacefully.

4. Notice of motion.

5. On asking of the Court, learned State counsel, who is present in the Court, accepts notice on behalf of the respondent-State.

6. The affected parties are directed to appear before the learned Trial Court/Illaq Magistrate, on or before 19.02.2025 or on any other date convenient to the Court, for getting their respective statements recorded with regard to the compromise. Thereupon, the concerned Court shall submit a detailed report, containing the information on the following points, along with copies of the statements to this Court, on or before the adjourned date:-

Sr. No.	Information required
1.	Total number of persons found involved as accused in the dispute/FIR
2.	Number of complainant/victim(s)

3.	Whether all the accused and complainant / victims are party to compromise & signed the same
4.	In case, any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereof; OR
5.	His/her statement is still to be recorded, in compliance to the direction of this Court, details of such person
6.	Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication
7.	Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence
8.	Any other aspect relevant to the present case

7. To come up on 20.03.2025, awaiting report.
8. Reply by the respondent-State, if any, be filed on or before the next date of hearing.

2. On 08.05.2025, following order was passed:-

“On the previous date of hearing i.e. 03.02.2025, no one represented the private respondent namely, Ayaan Kajla. Even today, there is no representation on behalf of respondent No.2 To await appearance of respondent No.2 before this Court, adjourned to 15.05.2025.”

3. Today again there is no representation on behalf of respondent No.2.
4. Faced with the situation, counsel for the petitioners seeks withdrawal of the present petition with liberty to file a fresh and comprehensive one, in case the parties agree to settle their disputes and enter into a compromise.
5. Dismissed as withdrawn, with liberty as sought and recorded here-above.

15.05.2025
amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No