



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

245

CRM-M-5214-2024

Date of Decision: 10.01.2025

JAGJEET SINGH @ JEETA AND OTHERS PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr.Balram Prashar, Advocate
for the petitioners.

Mr. Nitesh Sharma, D.A.G., Punjab.

Mr. Sagar Bathla, Advocate for
Mr. Harshit Joon, Advocate
for respondent No.2.

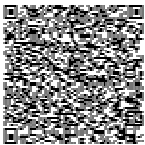
HARPREET SINGH BRAR J.(ORAL)

1. This petition has been filed under Section 482 Code of Criminal Procedure, 1973 seeking quashing of FIR No.54 dated 02.06.2023, under Sections 325, 148, 149, 506 of the Indian Penal Code 1860 (for short 'IPC') (Section 307 of IPC vide General Diary dated 19.06.2023 and Section 3 of SC/ST Act, 1989 vide DDR dated 07.06.2023 added later on), registered at Police Station Dehlon, District Ludhiana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 01.07.2023 (Annexure P-3).

2. The following order was passed on 11.12.2024:

*“The petitioners arraigned as accused in the FIR
captioned below, has come up before this Court under*

2025:PHHC:002821



Section 482 of the Code of Criminal Procedure to quash the FIR and all consequential proceedings based on the compromise amicably arrived at with the victim(s).

State counsel seeks time to file reply.

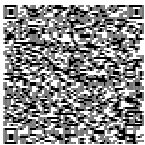
Given above, in case the State wants to file its response, they must do so positively before the next date. Counsel appearing for the private respondents states on instructions that there is no objection if the FIR and all consequent proceedings mentioned in this petition are quashed.

*Given above, the petitioners and the private respondents, and all other victim(s), if not arraigned as respondents, to appear before the concerned Trial Court/Illaq Magistrate/Duty Magistrate **on or before 20.12.2024**, for getting their statements recorded with regard to the compromise arrived at between them. Before recording their statements, the Ld. Judge should ensure the following aspects and send the report, in the following format, preferably before the next date fixed in this court:*

Name of the reporting Court	
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FIR No.	Dated	Police Station	Sections
14	02.06.2023	Dehlon, Ludhiana	325, 148, 149, 506 (Section 307 IPC added later on vide G.D. dated 19.06.2023 and Section 3 of the SC/ST Act, 1989 added later on vide DDR dated 07.06.2023)

2025:PHHC:002821



<i>Criminal Case no. before trial Court</i>	
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1.	<i>Names of the complainant/victims(s)/aggrieved persons(s)</i>	
2.	<i>Dates on which the statement(s) of the complainant/victims(s)/aggrieved persons(s) were recorded</i>	
3.	<i>Has the identity of the complainant/victims(s)/aggrieved persons(s) been verified?</i>	<i>Yes/No</i>
4.	<i>Whether all the victims/ all the aggrieved persons have compromised the matter?</i>	<i>Yes/No</i>
5.	<i>Is there pressure, threat, or coercion upon the victim(s)/aggrieved person(s)/complainant?</i>	<i>Yes/No</i>
6.	<i>Names of the accused person(s)</i>	
7.	<i>Dates on which the statement(s) of the accused persons(s) recorded</i>	
8.	<i>Whether all the accused have compromised the matter? If no, then the names of the accused who have compromised.</i>	<i>Yes/No</i>
9.	<i>Whether proclamation proceedings are pending against any accused?</i>	<i>Yes/No</i>
10.	<i>Has the police report been filed or not?</i>	<i>Yes/No</i>
11.	<i>Notice of accusation /Charges have been framed or not?</i>	<i>Yes/No</i>
12.	<i>Sections of statutes invoked in the matter</i>	
13.	<i>Whether the court is satisfied with the genuineness of the compromise?</i>	<i>Yes/No</i>



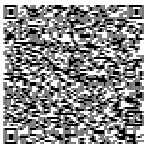
There would be no need for a certified copy of this order; and any Advocate for the Petitioners/State can download this order and other particulars as may be required, from the official web page of this Court, and attest it to be a true copy. The concerned court can also verify its authenticity and may download and use the downloaded copy for immediate use, if required.

List on 10.01.2025.”

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. Learned counsel for the petitioners submits that the offence under Section 307 of IPC is not made out. None of the injury suffered by respondent No.2 is on the vital part or has been declared dangerous to life by the doctor and the investigating agency has added the offence without there being any justifiable cause. As such, the offence under Section 307 of IPC is *prima facie* not made out. He relies upon the judgment of Hon’ble Apex Court in the case of **The State of Madhya Pradesh vs. Laxmi Narayan and others, 2019 (5) SCC 688** and submits that prima facie, once the offence under Section 307 of IPC is not made out then there is no embargo in quashing of the FIR (supra) on the basis of compromise.

5. 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, State of M.P. vs. Laxmi**



Narayan (supra) 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.54 dated 02.06.2023, under Sections 325, 148, 149, 506 of the Indian Penal Code 1860 (for short ‘IPC’) (Section 307 of IPC vide General Diary dated 19.06.2023 and Section 3 of SC/ST Act, 1989 vide DDR dated 07.06.2023 added later on), registered at Police Station Dehlon, District Ludhiana (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

10.01.2025
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>