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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M No.5095 of 2025 (O&M)
Date of decision: 07.04.2025

Sapna and others

....Petitioners

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. G.C. Shahpuri, Advocate
for the petitioners.

Mr. Harkesh Kumar, AAG, Haryana.

Mr. Vijay Kumar, Advocate
for respondents No.2 to 6.

Ms. Jashandeep Kaur, Advocate
for respondents No.7 and 8.

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.46 dated 28.02.2021 registered under Sections 147, 148, 323, 341, 452, 506 IPC (Sections 201 and 307 IPC added later on) at Police Station Sadhaura, District Yamuna Nagar, and all other consequential proceedings arising therefrom in view of the compromise (Annexure P-2).

2. The following order was passed on 29.01.2025:-

“XX XX XX XX

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*Learned counsel for the petitioners inter alia contends that prima facie no offence under Section 307 IPC is made out. He submits that as per the case set up by the prosecution, the injury in question was inflicted by a wooden stick on the head and there is no specific opinion with regard to injury being dangerous to life. The opinion given by the Doctor is that this injury could be dangerous to life and that injury was also attributed to co-accused namely Jaipal, who had died after registration of the FIR (supra). As such, in view of the judgment passed in “**State of Madhya Pradesh vs Laxmi Narayan and others**”, 2019(5) SCC 688, once the prima facie offence is not made out, there is no embargo for quashing of FIR on the basis of compromise.*

Notice of motion for 01.03.2025.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana, accepts notice on behalf of respondent No.1 – State. Copy of the paper book be supplied to her during the course of day.

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 compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 01.03.2025.

Learned counsel for the petitioners undertake to secure the presence of the complainant(s) before the learned trial Court/Illaq Magistrate at the time of recording the statement.

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

3. Thereafter, on 07.03.2025, Bali Ram and Ram Karan, who are the injured witnesses have been impleaded as respondents No.7 and

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8 and they were directed to appear before the learned jurisdictional Court to record their statements in terms of the compromise.

4. In compliance of the order dated 29.01.2025 and order dated 07.03.2025, 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.

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* 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.46 dated 28.02.2021 registered under Sections 147, 148, 323, 341, 452, 506 IPC (Sections 201 and 307 IPC added later on) at Police Station Sadhaura, District Yamuna Nagar and all other consequential proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

07.04.2025
yakub

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