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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6791-2025
Decided on :27.05.2025

Gurpreet Singh

Versus

State of Punjab and another

.....Petitioner

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner.

Mr. Jasdeep Singh, Addl. A.G, Punjab.

SANJAY VASHISTH, J.

1. Instant petition has been filed under Section 528 of BNSS, seeking quashing of the below detailed First Information Report (FIR), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 28.01.2025 (Annexure P-2).
2. On 06.02.2025 the 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 28.01.2025 (Annexure P-2), effected between the parties.

DETAIL OF CRIMINAL CASE:

FIR No.	Date	Section(s)	Police Station
793	23.10.2024	406,420 IPC	Karnal City, District Karnal

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

S. No .	Name (s)	Status in present petition viz.Petitioner/accused Or complainant/victim-respondent No.
1	Gurpreet Singh	Petitioner
2.	Ritesh Sehgal	Respondent No.2 (Complainant/Victim)

2. Learned counsel for the petitioners submits that all the parties to the dispute i.e. accused/petitioner(s) and complainant(s)/victim(s), already arrayed as parties in the present petition, have amicably resolved their dispute through compromise dated 28.01.2025 (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.

3. Besides, learned counsel for the petitioners submits that inadvertently, in the memo of parties, ‘State of Punjab’ has been mentioned instead of ‘State of Haryana’, therefore, he be allowed to file an amended memo of parties, by substituting respondent No.1 respondent No.1 respondent No.1 i.e. ‘State of Punjab State of Punjab State of Punjab’ with ‘State of State of Haryana’. Haryana

Allowed as prayed for.

Let the amended memo of parties by impleading ‘State of Haryana State of Haryana’ e of Haryana as respondent No.1 respondent No.1 respondent No.1, in place of ‘State of Punjab’ be filed in the registry within a period of two days from today.

4. Notice of motion.

5. On asking of the Court, Mr. Kanwar Sanjiv Kumar, DAG, Punjab, who is present in the Court, accepts notice on behalf of respondent No.1 – State.

6. Mr. Ramandeep Singh, Advocate, appears on behalf of respondent No.2 and admits execution of the compromise (Annexure P-2).



7. At this stage, it is also informed that petitioner is presently confined in District Jail, Nabha, in other case i.e. FIR No.196, dated 03.12.2024, under Sections 406, 420, 120-B of IPC and Section 24 of the Immigration Act, P.S. Phase-I, SAS Nagar (Mohali). Therefore, he be granted permission to record his statement qua the compromise either by personally appearing before the learned Trial Court/Illaqa Magistrate on production warran production warran production warrant or through video through video conferencing. Conferencing 8. 8.

The affected parties are directed to appear before the learned Trial Court/Illaqa Magistrate, on or before 28.02.2025 28.02.2025 or on any other date convenient to said 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 . N o.	Information required
I.	Total number of persons found involved as accused in the dispute/FIR
II.	Number of complainant/victim(s)
III.	Whether all the accused and complainant / victims are party to compromise & signed the same
IV.	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
V.	Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication
VI.	Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence
VII	Any other aspect relevant to the present case.



9. So far as, the question of recording of statement of the petitioner, either on production warran production warran production warrant or through video conferencing through video conferencing through video conferencing, is concerned, he is directed to get his statement recorded qua the factum of compromise in the following manner :-

i. Petitioner's counsel shall move an application before the trial Court/Illaqa Magistrate concerned for recording statement of the petitioner qua the factum of compromise through Video Conferencing. As and when any such application is moved and put up before the trial Court/Illaqa Magistrate, the trial Court/Illaqa Magistrate shall consider the said application and do the needful for recording the statements of the parties qua the factum of the compromise through Video Conferencing.

ii. At the time of recording of the statements by way of video conferencing, the petitioner shall be duly identified by his respective counsel, subject to the satisfaction of the Presiding Officer.

OR

iii. The petitioner shall be produced in police custody before the concerned Trial Court/Illaqa Magistrate, on or before 28.02.2025 or on any other date convenient to said 28.02.2025 Court, on issuing of production warrants. In this regard, all the expenses incurred shall be borne by the petitioner.

10. To come up on 24.03.2025, awaiting report.

11. Reply by the respondent-State, if any, be filed on or before the next date of hearing."



3. Amended Memo of Parties, though was taken on record vide order dated 17.02.2025, but on the next date i.e.24.03.2025, neither the petitioner was present nor respondent No.2. The position is not indifferent even today as none of the parties are present in Court or their representatives are present in Court.

4. As per the report received from from learned CJM, Karnal despite granting several opportunities, accused Gurpreet Singh was not produced before the Court nor the complainant appears and therefore, required statements of the parties could not be recorded.

5. In view of the above, present petition is dismissed for want of prosecution.

27.05.2025
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(SANJAY VASHISTH)
JUDGE

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**