

2025:PHHC:046282



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

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CRM-M-7202-2025

Date of decision: April 04, 2025

GURKAMAL @ GURKAWAL SINGH AND ANR

...Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ashu Rana, Advocate
for the petitioners.

Mr. H.S. Deol, Sr. DAG, Punjab.

Ms. Priya Sahoo, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 528 BNSS, 2023 seeking quashing of FIR No.102 dated 05.12.2024 (Annexure P-1) under Sections 115(2), 117(2), 3(5) of the BNS, 2023 registered at Police Station Garhdiwal, District Hoshiarpur, along with all consequential proceedings arising therefrom, on the basis of compromise dated 01.02.2025 (Annexure P-2).

2. Vide order dated 07.02.2025 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 06.03.2025 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Dasuya, in pursuance of the directions of this Court, wherein the



factum of the compromise arrived at between the parties stands verified and confirmed. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will, and the complainants have also made statement to the effect that they would have no objection if the FIR qua the accused-petitioners is quashed.

4. The trial Court has annexed the statements of the parties in original, along with its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 and 3 are the only aggrieved person in the FIR in question.

6. In view of the report of the learned trial Court, and the principles laid down by the Hon'ble Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

April 04, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

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