



**284-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-8249-2025

Date of decision: 05.03.2025

MUHAMMED JAVED AND OTHERS

...PETITIONERS

V/S

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gaurav Gupta, Advocate for the petitioners.

Mr. Harkesh Kumar, AAG, Haryana.

Mr. Akash Vashisth, Advocate for respondent Nos.2 to 8.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed 528 of BNSS, 2023 (Corresponding Section 482 Cr.P.C.) seeking quashing of FIR No.0238 dated 15.11.2015, under Sections 148/149/323/427/506 of IPC 1860 and Section 325 of IPC 1860 added later on, registered at Police Station Bahin, Distt. Palwal (Annexure P-1) along with all subsequent proceedings, arising therefrom in the light of the compromise dated 25.11.2024 (Annexure P-2).

2. *Vakalatnama* on behalf of respondent Nos.2 to 8 has been filed today. The same is taken on record. Registry is directed to tag the same at appropriate place.

3. The following order was passed on 14.02.2025 :-

"The petitioner seeks quashing of FIR (Annexure P-1) and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Notice of motion for 12.9.2024.

At this stage, Ms. Aarushi Garg, Advocate has put in appearance on behalf of respondent No.2 and has filed Power of Attorney, which is taken on record.



The parties are directed to move an application before the trial Court/Illaqa Magistrate concerned for getting their statements recorded qua the factum of compromise. 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, on any convenient date. After recording the statements of all the affected parties, and upon getting requisite information from Investigating Officer, the trial Court/Illaqa Magistrate shall submit its report on the basis of the statements so recorded, broadly on the following aspects:

(i) Whether there is any other accused other than the petitioner, arrayed in this petition.

(ii) Whether there is any other complainant or affected/aggrieved party other than the respondents, arrayed in the petition.

(iii) Whether any accused has been declared Proclaimed Offender?

(iv) Whether the compromise in question is found to be a valid compromise and has been effected without there being any kind of influence or coercion?

The report be submitted before this Court on or before the next date.”

4. 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.

5. Learned counsel for the petitioners submits that injured, namely, Umar Mohd. has also tendered his no objection with regard to quashing of FIR (*supra*) and his name is recorded at serial No.9 in the compromise deed (Annexure P-2).

6. 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 46*, 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.0238 dated 15.11.2015, under Sections 148/149/323/427/506 of IPC 1860 and Section 325 of IPC 1860 added later on, registered at Police Station Bahin, Distt. Palwal (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

March 05, 2025
manisha

(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |