



249

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-17296-2025 (O&M)

Date of Decision: 27.05.2025

RAJINDER KUMAR AND OTHERS

...Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ashish Kumar, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Ms. Apurva Walia, Advocate
for respondent No.2.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 528 BNSS seeking quashing of FIR No.174 dated 31.08.2021 registered under Sections 323, 451, 427, 506, 34 IPC registered at Police Station Dasuya, District Hoshiarpur (Annexure P-1) on the basis of compromise dated 28.06.2024 (Annexure P-2) along with all subsequent proceedings arising therefrom.

2. The following order was passed on 01.04.2025:

“This petition has been filed under Section 528 BNSS seeking quashing of FIR No.174 dated 31.08.2021 registered under Sections 323, 451, 427, 506, 34 IPC at Police Station Dasuya, District Hoshiarpur, on the basis of compromise dated 28.06.2024 along with all subsequent proceedings arising therefrom.

Notice of motion for 02.05.2025.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1 – State. Copy of the paper book be supplied to him during the course of day.

Learned counsel for the petitioners undertake to secure the presence of respondent No.2 before the learned trial Court at the time of recording the statement of the parties.

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. 02.05.2025.

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

3. Thereafter, on 02.05.2025, the parties were again directed to appear before the jurisdictional/Illaq Magistrate within a period of two weeks. 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. 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.174 dated 31.08.2021 registered under Sections 323, 451, 427, 506, 34 IPC registered at Police Station Dasuya, District Hoshiarpur (Annexure P-1) on the basis of compromise dated 28.06.2024 (Annexure P-2) along with all subsequent proceedings

arising therefrom are quashed, qua the petitioners.

27.05.2025

shruti

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No