



**273 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

CRM-M-12236-2025 (O&M)

Date of Decision: 05.05.2025

AVTAR SINGH AND OTHERS

...Petitioners

V/S

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kuldeep Singh Saini, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. N.S. Dandiwal, Advocate
for respondents No. 2 to 8.

HARPREET SINGH BRAR J. (Oral)

1. This is the second petition filed under Section 528 BNSS, 2023 seeking quashing of FIR No.63 dated 01.05.2014 under Sections 323/324/325/326/452/201/148/149 of IPC registered at Police Station Kurali, District Mohali (Annexure P-1) and judgment of conviction and order of sentence dated 05.04.2024 passed by learned Judicial Magistrate Ist Class, Rupnagar along with all subsequent proceedings arising therefrom on the basis of compromise dated 29.01.2025 (Annexure P-3). The first petition was withdrawn on 04.12.2023 and liberty was granted to the petitioners to file fresh petition.

2. The following order was passed on 06.03.2025:

"This is the second petition filed under Section 528 BNSS, 2023 seeking quashing of FIR No.63 dated 01.05.2014 under Sections 323/324/325/326/452/201/148/149 of IPC registered at Police Station Kurali, District Mohali (Annexure P-1) and judgment of conviction and order of sentence dated 05.04.2024 along with all subsequent proceedings arising therefrom on the basis of compromise dated 29.01.2025 (Annexure P-3). The first petition was withdrawn on 04.12.2023 and liberty was granted to the petitioners to file fresh petition."



Notice of motion.

At this stage, on the asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Gagandeep Singh, Advocate accepts notice for respondent Nos.2 to 8 and undertakes to file his power of attorney on or before the next date of hearing. He admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

Learned counsel for the petitioner relies upon Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834 and submits that even after conviction, the FIR (supra) can be quashed on the basis of compromise.

Adjourned to 05.04.2025.

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 recorded their statements 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.

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

Thereafter on 05.04.2025, parties were again directed to record their statements.

3. 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, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834 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.63 dated 01.05.2014 under Sections 323/324/325/326/452/201/148/149 of IPC registered at Police Station Kurali, District Mohali (Annexure P-1) and judgment of conviction and order of sentence dated 05.04.2024 passed by learned Judicial Magistrate Ist Class, Rupnagar along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

05.05.2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>