

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

CRM-M-18063-2025 (O&M)

Date of Decision: 05.05.2025

LAKHI @ LAKHWINDER SINGH AND ORS.

...Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Bhanu Pratap Singh, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Sunil Kalyan, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of complaint case bearing No. COMI/95/2014 dated 02.07.2023 titled as 'Harjit Singh @ Teeta Vs. Mohinder Singh and others' (Annexure P-1) and judgment dated 01.05.2018 (Annexure P-2) passed by the learned Sub-Divisional Judicial Magistrate, Mukerian along with all subsequent proceedings arising therefrom on the basis of compromise dated 17.03.2025 (Annexure P-3).

2. The following order was passed on 03.04.2025:

"This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of complaint case bearing No. COMI/95/2014 dated 02.07.2023 titled as 'Harjit Singh @ Teeta Vs. Mohinder Singh and others' (Annexure P-1) and judgment dated 01.05.2018 (Annexure P-2) passed by the learned Sub-Divisional Judicial Magistrate, Mukerian along with all subsequent proceedings arising therefrom on the basis of compromise dated 17.03.2025 (Annexure P-3).

Learned counsel for the petitioners has relied upon the judgment of the Hon'ble Supreme Court passed in 'Ramgopal and another Vs. State of Madhya Pradesh' 2021 SCC OnLine SC 834, and seeks quashing of the FIR along with the impugned judgment of



conviction and order of sentence dated 01.05.2018 (Annexure P-2) passed by learned Sub-Divisional Judicial Magistrate, Mukerian.

Notice of motion for 05.05.2025.

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. Sumit Kalyan, Advocate accepts notice for respondent No.2 and files his power of attorney and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

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.

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

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 complaint case bearing No. COMI/95/2014 dated 02.07.2023 titled as 'Harjit Singh @ Teeta Vs. Mohinder Singh and

others’ (Annexure P-1) and judgment dated 01.05.2018 (Annexure P-2) passed by the learned Sub-Divisional Judicial Magistrate, Mukerian along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

05.05.2025
Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

(HARPREET SINGH BRAR)
JUDGE