



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

321 CRM-M-21670-2025
Decided on :04.09.2025

Saurav @ Noni and others

.....Petitioners

Versus

State of U.T. Chandigarh and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Amit Kumar, Advocate for the petitioners.
Mr. Kanwarpal Singh, A.P.P., U.T. Chandigarh.
Mr. Prashant Puri, Advocate for respondent No.2.

SANJAY VASHISTH, J.

1. Instant petition has been filed under Section 528 of BNSS, seeking quashing of the below detailed First Information Report (FIR), and all the consequential proceedings arising therefrom, on the basis of the compromise dated 18.03.2025(P-2), effected between the parties.

DETAILS OF CRIMINAL CASE:-

FIR No.	Date	Section(s)	Police Station
19	23.02.2024	307, 34 IPC and 25, 27, 54, 59 of Arms Act	Maloya, Chandigarh

2. At the very outset, learned counsel for the petitioner submits that although the instant case is registered under Section 307 IPC, no



such injury, as contemplated under the said provision, was actually suffered by anyone. Moreover, it is submitted that the parties have since entered into a compromise.

3. On 25.04.2025, following order was passed by the coordinate Bench of this Court:

“ Prayer in the instant petition filed under Section 528 of BNSS, 2023 is for quashing of FIR No.19 dated 23.02.2024 under Sections 307, 34 of IPC, 1860 and Sections 25, 27, 54, 59 of Arms Act, 1959, registered at Police Station Maloya, Chandigarh (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

Learned counsel appearing for the petitioners submits that it is a case of version and cross-version and there is no injury on either side. It is further submitted that subsequent to the registration of the FIR in question, the parties with the intervention of the respectables, have amicably resolved all their disputes and hence, continuation of criminal proceedings would serve no useful purpose.

Notice of motion.

On asking of the Court, Mr. Samar Kumar, APP, U.T. Chandigarh accepts notice on behalf of respondent No.1-U.T. Chandigarh.

At this stage, Mr. Vishal Sharma, Advocate for Mr. Prateek Gupta, Advocate, has put in an appearance on behalf of the complainant/respondent No.2 and filed his Power of Attorney in the Court today, which is taken on record. He does not dispute the submissions made by counsel opposite and also does not oppose the prayer for quashing of FIR, on the basis of compromise arrived at between the parties.

In view of the above, parties are directed to appear before the Illaga Magistrate/trial Court on 22.05.2025 or any other date



thereafter convenient to that Court for getting their statements recorded with regard to the factum of compromise so effected between them. This shall, however, be subject to payment of costs in the sum of Rs.15,000/- to be deposited with the High Court Lawyers Fund. The Illaga Magistrate/trial Court is directed to record the statements of both the parties specifying the following:

- i. The name of the complainant and all accused arrayed in the FIR; whether all of them have appeared and made their respective statements in support of the compromise so effected between them;*
- ii. Whether any of the accused has been declared a Proclaimed Offender;*
- iii. The stage of trial/proceedings;*
- iv. If the compromise so arrived at between the parties is genuine, voluntarily and out of free will.*
- v. Criminal antecedents, if any, of the petitioners.*

The Illaqa Magistrate/trial Court is further directed to send a report along with statements of the parties with regard to the validity or otherwise of the compromise so effected between the parties.

Adjourned to 09.07.2025.”

4. In compliance of the said order, the affected parties were directed to appear before the learned Trial Court/Illaqa Magistrate, for getting their respective statements recorded with regard to the compromise.

5. Report has since been received from learned Additional Sessions Judge, Chandigarh, in pursuance to the directions of this Court wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report(s) 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 private respondents



have also made statement to the effect that they would have no objection if the FIR qua the accused-petitioners is quashed.

6. The trial Court has annexed the statements of the parties in original, along with its report. The relevant part of the said report is reproduced herebelow:

“i) In this FIR, Rinku is the complainant whereas three persons namely Saurav @ Noni, Sahil @ Bread and Shubham @ Billu are arrayed as accused. There is only one complainant namely Rinku in the present case. Yes, all the complainant and accused are parties to compromise and have signed the same.

ii) The accused namely Saurav @ Noni, Sahil @ Bread and Shubham @ Billu have not been declared as proclaimed person/offender, nor any such proceedings are pending against the present accused as stated by the investigating officer.

lii) The present case is at the stage of recording of prosecution evidence.

iv) The compromise effected between accused persons namely Saurav a Noni, Sahil @ Bread and Shubham @ Billu and complainant Rinku is valid and genuine. It has been effected voluntarily between the said parties with their free consent and without any pressure, threat, coercion or undue influence from any quarter.

v) It is pertinent to mention here that as per the statement of investigating officer Sub Inspector Naresh Kumar, against accused Saurav @ Noni FIR No. 47/2023 at Police Station Maloya under Section 147,148,149,323,324 & 506 of IPC, against accused Sahil @ Bread S/ Balwinder FIR No. 49/2019 at Police Station



Maloya under Section 147,148,149,307 read with Section 34 of IPC, FIR No. 295/2020 under Section 147,48,119,324 of IPC, Police Station Sector 39, Chandigarh, FIR No. 47/2023 under Sections 147,148,149,323,324, 307 & 506 of IPC and against accused Shubham @ Billu S/o Kailash FIR No.439/2018 under Section 324,341 & 34 of IPC Police Station Sector 39, Chandigarh and FIR No. 127/2020 under Section 307, 34, 120-B of IPC and 25 of Arms Act have been registered."

7. Learned counsel for the petitioners submits that petitioners are the only named accused in the FIR in question, and that the private respondent is complainant/aggrieved parties therein.

Additionally, learned counsel submits that, with respect to the same incident, a cross-version was registered in the shape of FIR No. 20 dated 24.02.2024, under Sections 307 and 34 of the IPC and Sections 25, 27, 54, and 59 of the Arms Act, at Police Station Maloya, Chandigarh. It is further submitted that the proceedings in the said FIR have already been quashed by this Court vide order dated 26.05.2025, passed in CRM-M-19293-2025. To substantiate this submission, learned counsel has produced a copy of the said order. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper-book.

8. Learned State counsel does not dispute the aforesaid factual position and affirms the same during the course of arguments.



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9. In view of the report of the learned learned Additional Chief Judicial Magistrate, Gurugram, and the principles laid down by Hon'ble the 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.

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

11. Petition stands disposed of.

04.09.2025
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(SANJAY VASHISTH)
JUDGE

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO