



267

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

CRM-M-21315-2025

Date of decision: 23.05.2025

Gurwinder Singh @ Babbi and others

....Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rythem Bajaj, Advocate
for the petitioners.

Mr. Nitesh Sharma, DAG, Punjab.

Ms. Neha Randhawa, Advocate for
Ms. Gurpreet Kaur, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.144 dated 27.07.2017 under Sections 324/323/148/149 of IPC (Section 325 of IPC added later on vide Rapat No.39 dated 02.08.2017) registered at Police Station City-1 Abohar, District Fazilka (Annexure P-1) along with consequential proceedings arising therefrom on the basis of compromise dated 28.03.2025.

2. The following order was passed on 24.04.2025:

“This petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.144 dated 27.07.2017 under Sections 324/323/148/149 of Indian Penal Code (Section 325 of IPC added later on vide rapat No.39 dated 02.08.2017) registered at Police Station City-I Abohar, District Fazilka (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 28.03.2025 (Annexure P-3).

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 Ms. Gaganpreet Kaur, Advocate accepts notice for respondent No.2 and files his power of attorney, which is taken on record. She admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.



Learned State counsel, on instructions, submits that all the stakeholders have not been impleaded in the present petition.

Learned counsel for the petitioners submits that the complainant in the FIR (supra) has died and he was only survived by his wife, who has performed the second marriage, after the demise of her husband i.e. complainant. Further, the real brother of the complainant is impleaded as respondent No.2 in the present petition, who is also the victim/injured. As such, all the stakeholders have been impleaded.

Adjourned to 23.05.2025.

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.”

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** 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.144 dated 27.07.2017 under Sections 324/323/148/149 of IPC (Section 325 of IPC added later on vide Rapat No.39 dated 02.08.2017) registered at Police Station City-1 Abohar, District Fazilka (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)

JUDGE

23.05.2025

Neha

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No