



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

278

CRM-M-29175-2023 (O&M)
Date of decision: 19.02.2025

Kuldeep Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Akhilesh Vyas, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Sidhant Bhonsle, Advocate
for respondent No.2.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure (in short 'Cr.P.C.') seeking quashing of FIR No.0035 dated 30.04.2023 registered under Sections 307, 120-B IPC at Police Station Ramdas, District Amritsar, and all subsequent proceedings arising therefrom in view of the compromise dated 24.05.2023.

2. The following order was passed on 29.08.2024:-

“Though one of the offences, in which the petitioners are facing trial, is Section 307 IPC, whereunder the instant FIR has been registered, however, at this stage, the parties concerned are directed to appear before the learned Illaqa Magistrate/trial Court concerned within 20 days from today, to get their respective statements recorded



regarding compromise, and after recording their respective statements, the learned trial Court/Illaq Magistrate concerned, is directed to send the same alongwith its report, regarding the genuineness of compromise, on or before the next date of hearing in the present petition specifically with regard to the following facts:-

- 1. Number of persons arrayed as accused in the FIR;*
- 2. Whether any accused is proclaimed offender;*
- 3. Stage of the trial/proceedings.*
- 4. Whether the compromise is genuine, voluntary, and without any coercion or undue influence and*
- 5. Total number of victims and their names.*

It is made clear that complainant/private respondent should also appear in person before the learned trial Court/Illaq Magistrate concerned, to get his statement recorded regarding the compromise.

To come up on 22.10.2024.

The State counsel is also directed to verify the factum of compromise by the date fixed.

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

3. Learned counsel for the petitioners, inter alia, contends that the dispute is between the complainant and her parents-in-law, which is purely private in nature and further the offence under Section 307 IPC, has been added by the jurisdictional police authorities at the time of registration of the FIR (supra), however, neither there is any opinion of the doctor nor there is any injury, which can remotely suggest that *prima facie* offence under Section 307 IPC is made out. Reliance in this regard is placed upon the judgment passed in **“State of Madhya**



Pradesh vs Laxmi Narayan and others”, 2019(5) SCC 688, to submit that once the *prima facie* offence is not made out, there is no embargo for quashing of FIR on the basis of compromise.

4. Further, in compliance of the order dated 29.08.2024, 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.

5. 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.0035 dated 30.04.2023 registered under Sections 307, 120-B IPC at Police Station Ramdas, District Amritsar, and all other subsequent proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

19.02.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No