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

CRM-M-29574-2024

Date of decision: 06.05.2025

GURPREET SINGH ALIAS JAI SINGH AND ANOTHER

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. J. S. Moudgill, Advocate for the petitioners.

Mr. Hardeep Singh Wadhwa, DAG, Punjab.

Mr. J. S. Bhinder, Advocate for

Mr. G. S. Sandhu, Advocate for respondents No.2 to 6.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of the FIR No.06 dated 30.01.2020, under Sections 452, 458, 354, 323, 201, 506, 148 and 149 of the IPC, registered at Police Station Banur, District Patiala, Punjab, along with all consequential proceedings arising therefrom, on the basis of compromise dated 27.05.2024 (Annexure P-2).

2. Learned counsel for the petitioners submitted that there are two petitioners in the present case and they are the only accused persons and challan was presented against them and the trial is fixed for prosecution evidence. He further submitted that in pursuance of the order passed by this Court on 15.07.2024, the parties were directed to appear before the learned trial



Court/Illaq Magistrate for recording their statements with regard to the authenticity of compromise. He further submitted that thereafter, all the parties i.e. the petitioners and the private respondents have got their statements recorded before the learned trial Court/Illaq Magistrate and since the matter has been amicably settled between the parties, the present FIR may be quashed on the basis of compromise in order to prevent any further bitterness between the parties. He also submitted that since the subject matter of the present dispute does not fall in the category of any serious or heinous offence, no useful purpose will be served in case further prosecution is carried on and therefore, the present FIR may be quashed on the basis of compromise.

3. On the other hand, Mr. Hardeep Singh Wadhwa, DAG, Punjab submitted that the parties were directed to appear before the learned trial Court/Illaq Magistrate for the purpose of recording their statements and the parties have got their statements recorded before the learned trial Court/Illaq Magistrate. He further submitted that the allegations in the present case were pertaining to a fight which took place between the petitioners party and the private respondents party.

4. Learned counsel appearing on behalf of respondents No.2 to 6 submitted that in order to prevent any further bitterness between the parties, the matter has been amicably settled between the parties vide compromise (Annexure P-2). He further submitted that the aforesaid compromise is a valid compromise and it was without any undue influence or coercion and respondents No.2 to 6 have no objection in case the FIR is quashed considering the peculiar facts and circumstances of the present case.



5. I have heard the learned counsels for the parties.

6. The prayer in the present petition is for quashing the present FIR on the basis of compromise. Vide order dated 15.07.2024, the parties were directed to appear before the learned trial Court/Illaqa Magistrate for the purpose of recording their statements pertaining to genuineness and voluntariness of compromise. As per the allegations contained in the FIR, the complainant, namely, Baldev Singh reported to the police that he has two daughters and the accused persons had been passing some inappropriate remarks to them and thereafter, a few days later, the accused persons alongwith some other persons had come to his house and entered into a fight, in which some injuries were also sustained.

7. In pursuance of the order dated 15.07.2024 passed by this Court, a report has been received from the learned Judicial Magistrate 1st Class (Duty), Rajpura dated 28.08.2024, wherein it has been specifically stated that all the parties have got their statements recorded and the matter has been amicably settled between the parties with the intervention of the respectables. It has also been stated in the aforesaid report that both the petitioners are the only accused in the present case and they have never been declared as proclaimed offenders and apart from the above, they are not involved in any other case except the present FIR. So far as the genuineness of the compromise is concerned, it has been stated by the learned Judicial Magistrate 1st Class (Duty), Rajpura that the same seems to be genuine and out of their free will and without any coercion or undue influence from any quarter. It has been further stated in the aforesaid report that apparently, the compromise has been arrived at between the parties



so as to eliminate bitterness and acrimony between them in order to restore cordial relations.

8. Hon'ble Supreme Court in **State of Madhya Pradesh versus Laxmi Narayan and others, 2019(2) SCC (Crl.) 706** and also in **Gian Singh versus State of Punjab and another, 2013 (1) SCC (Crl.) 160** and Full Bench judgment of this Court in **Kulwinder Singh and others versus State of Punjab, 2007 (3) R.C.R.(Criminal) 1052** held that where the offence does not fall in the category of any serious or heinous offence and the Court is satisfied that considering the facts and circumstances of the case, it will not be in the interest of justice to continue with the prosecution, then FIR can be quashed on the basis of compromise.

9. After hearing the learned counsels for the parties and perusing the present FIR and the report sent by the learned Judicial Magistrate 1st Class (Duty), Rajpura dated 28.08.2024, this Court is satisfied that the matter has been compromised between the parties and the compromise is genuine, voluntary and without any threat or coercion. So far as the subject matter of the present FIR and the allegations against the petitioners are concerned, although initially they were pertaining to allegedly passing of some inappropriate remarks to the daughters of the complainant, which resulted in a fight during which some injuries were also sustained but it appears that subject matter of the present FIR does not fall in the category of any serious or heinous offence. Furthermore, the aggrieved victims, who are the daughters of the complainant are young girls and their career may also get affected in case further prosecution is carried on and since the matter has already been compromised between the



parties vide Annexure P-2, this Court is of the view that it is a fit case for quashing the present FIR on the basis of compromise.

10. Consequently, the present petition is allowed.

11. The impugned FIR No.06 dated 30.01.2020, under Sections 452, 458, 354, 323, 201, 506, 148 and 149 of the IPC, registered at Police Station Banur, District Patiala, Punjab, along with all consequential proceedings arising therefrom are hereby quashed, on the basis of compromise dated 27.05.2024 (Annexure P-2), qua the petitioners.

(JASGURPREET SINGH PURI)
JUDGE

06.05.2025
Chetan Thakur

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