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

CRM-M-34045-2024

Date of decision: 17.03.2025

Kapil Kumar and another

....Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Saurabh Sharma, Advocate
for the petitioners.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Pradeep Bhardwaj, Advocate for
Mr. Lokesh Sharma, 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 FIR No.136 dated 22.04.2024 under Sections 307/323/34 of IPC registered at Police Station Sadar Mahendergarh, District Mahendergarh, Haryana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise/settlement dated 27.06.2024 (Annexure P-2).

2. The following order was passed on 11.02.2025:

“The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, read with Section 482 Cr.P.C, prayer is made for quashing of FIR No.136 dated 22.04.2024, under Sections 307, 323 and 34 of IPC, registered at Police Station Sadar Mahendergarh, District Mahendergarh, Haryana on the basis of compromise dated 27.06.2024 (Annexure P-2).

Learned counsel for the petitioners inter alia contends that perusal of the FIR (Annexure P-1) clearly indicates that the accused alleged to have given slap blows, fist blows and kick blows and as such the grievance under Section 307 of IPC is not made out. Further the opinion given by doctor is not specific with regard to the injury being dangerous to life and admittedly all the injuries suffered by the complainant-respondent No.2 are with blunt weapon and none of the injuries upon the complainant-respondent No.2 is with sharp edged weapon, as such prima facie offence under Section 307 IPC is not



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made out. In the meantime, parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of two weeks or any other date convenient to the trial Court/Illaq Magistrate to get their statements recorded regarding the compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the next date of hearing.

Adjourned to 17.03.2025.

A copy of this 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 '**The State of Madhya Pradesh Vs. Laxmi Narayan and others**' 2019 (5) SCC 688, **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.136 dated 22.04.2024 under Sections 307/323/34 of IPC registered at Police Station Sadar Mahendergarh, District Mahendergarh, Haryana (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

17.03.2025

Neha

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