

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

328

CRM-M-35055-2025
Date of decision: 04.09.2025

VIJAY BAINS ALIAS VIJAY KUMAR AND ANOTHERPetitioners

Versus

STATE OF PUNJAB AND ANOTHER ...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Rahul Verma, Advocate with
Mr. Nitin Mittoo, Advocate
for the petitioners.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

Mr. Anshul Sharma, Advocate for respondent No.2.

SANJAY VASHISTH. J.(Oral)

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 30.06.2025, effected between the parties.

DETAILS OF CRIMINAL CASE:-

FIR No.	Date	Section(s)	Police Station
21	21.02.2021	323, 324, 341, 34, 326 IPC	Sadar, District Hoshiarpur

2. Reply report dated 03.09.2025 by way of an affidavit of Dev Dutt Sharma, PPS, Deputy Superintendent of Police, Sub Division City, District Hoshiarpur has been filed on behalf of respondent-State. The same is taken on record.

3. Vide order dated 07.07.2025, the affected parties were directed to



appear before the learned Trial Court/Illaq Magistrate, for getting their respective statements recorded with regard to the compromise.

3. Report has since been received from learned Additional Chief Judicial Magistrate, Hoshiarpur 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.

4. 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:

Sr. No.	Description	
1.	Total number of persons found involved as accused in the dispute/FIR	Two
2.	Number of complainant/victim(s)	One
3.	Whether all the accused and complainant / victims are party to compromise & signed the same	Yes
4.	In case, any affected person(accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereas; Or His/her statement is till to be recorded, in compliance to the direction of this Court, details of such person	No

5.	Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication	None
6.	Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence	Yes
7.	Any other aspect relevant to the present case.	Nothing worth noticing reported

5. Learned State counsel submits that petitioners are the only named accused in the FIR in question, and that the private respondents are complainant/aggrieved parties therein.

6. In view of the report of the learned Additional Chief Judicial Magistrate, Hoshiarpur, 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.

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

8. Petition stands disposed of.

04.09.2025
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(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No