



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M No.40032 of 2024 (O&M)
Date of decision: 28.02.2025

Harjinder Singh @ Sonu @ Mantri and others
.....Petitioners
Versus
State of Punjab and another
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Vardhani Gupta, Advocate
for Mr. Ankit Kharbanda, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Anirudh Gupta, Advocate
for respondent No.2.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, (in short 'BNSS, 2023') seeking quashing of FIR No.0088 dated 07.05.2024 registered under Sections 452, 323, 427, 148 and 149 IPC at Police Station Islamabad, District Amritsar, and all other consequential proceedings arising therefrom in view of the compromise dated 18.07.2024.
2. The following order was passed on 04.02.2025:-

*“Power of attorney filed on behalf of respondent No.2 is taken on record. Registry is directed to tag the same at the appropriate place.
Adjourned to 28.02.2025.*

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In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of one week 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 i.e. 28.02.2025.

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, however, it has been indicated that one of the petitioner namely Nitish had not appeared before the jurisdictional Court to record his statement.

4. Learned counsel for respondent No.2 submits that for compounding of an offence and for seeking quashing of FIR on the basis of compromise, the consent of complainant is essential and in the present case, the respondent No.2/complainant has duly appeared before the learned jurisdictional Court in terms of the direction issued by this Court and raised no objection in case the FIR (supra) against all the petitioners is quashed.

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***

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of Punjab and another, (2014) 6 SCC 466, Ram Gopal and another vs State of Madhya Pradesh, 2021 SCC OnLine (SC) 834, 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.0088 dated 07.05.2024 registered under Sections 452, 323, 427, 148 and 149 IPC at Police Station Islamabad, District Amritsar and all other consequential proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

28.02.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No