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

CRM-M-41945-2024**Date of Decision: 29.01.2025****SUKHWINDER LAL ALIAS RINKU****....Petitioner(s)****VERSUS****STATE OF PUNJAB AND ANOTHER****....Respondent(s)****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Kartik Gupta, Advocate for the petitioner.

Mr. Jasdeep Singh, DAG, Punjab.

None for respondent No.2.

SANJAY VASHISTH, J. (Oral)

1. The present petition under Section 528 of BNSS, 2023 has been filed by the petitioner, for quashing of FIR No. 191, dated 07.11.2023 (Annexure P-1), for the offences punishable under Sections 323 and 324 IPC, registered at Police Station Sadar Hoshiarpur, District Hoshiarpur and all the consequential proceedings arising therefrom, on the basis of compromise dated 14.03.2024 (Annexure P-2).

2. Reply dated 28.01.2025 by way of affidavit of Dev Dutt Sharma PPS, Deputy Superintendent of Police, Sub-Division City, District Hoshiarpur has been filed on behalf of respondent No.1, the same is taken on record. Copy thereof has been furnished to the counsel opposite.

3. On 29.08.2024, following order was passed:-

*‘The present petition has been filed for quashing of an FIR
No.191 dated 07.11.2023 under Sections 323 and 324 IPC registered*



at Police Station Sadar Hoshiarpur, District Hoshiarpur and all other consequential proceedings arising therefrom, on the basis of compromise dated 14.03.2024 (Annexure P-2), entered into between the parties.

Learned counsel for the petitioner submits that in order to live peacefully, parties have entered into compromise (Annexure P-2), according to which, both the parties have agreed not to proceed further with the FIR in question.

Notice of motion for 29.01.2025.

Ms. Ramta K Chaudhary, DAG, Punjab, accepts notice on behalf of respondent No.1-State. Ms. Annaya Nayyar, Advocate, accepts notice on behalf of respondents No.2. She does not dispute the above said compromise, which has been arrived at between the parties, according to which, complainant does not wish to press the allegations alleged in the FIR any further.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording their statement with regard to compromise/settlement (Annexure P-2) on 20.11.2024 by moving an appropriate application or by presenting this order.

The trial Court/Illaq Magistrate is directed to submit the report on or before the next date of hearing containing the following information in a tabulated form:-.

- 1. Number of persons arrayed accused in the FIR;*
- 2. Whether any accused is a proclaimed offender;*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence;*
- 4. Whether the accused persons are involved in any other FIR or not; and*
- 5. The statements of the complainant and all the victims/persons aggrieved shall be recorded by the Trial Court;*
- 6. The Trial Court is also directed to record the statement of the Investigating Officer/any other officer aware of the facts of the case so as to know how many victims/complainants are there in the FIR*



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and whether all the victim/complainant as well as accused are party to the compromise in question.

The petitioner shall deposit a cost of Rs.25,000/- with the Spinal Rehab Centre, Chandigarh Plot No.1, Madhya Marg, Sector 28-A, Chandigarh, 0172-4610311 on or before the date of recording of their statements and produce the receipt of the same to the Trial Court/Illaq Magistrate. '

4. As per report dated 28.01.2025, on the date fixed, none of the parties appeared before the Court of learned Addl. Chief Judicial Magistrate, Hoshiarpur for recording their statement in regard to the compromise.
5. Even before this Court also, respondent No.2 is not being represented.
6. Accordingly, in view of the circumstances recorded hereabove, present petition is disposed of with liberty to file a fresh comprehensive petition by impleading all the necessary parties.
4. Dismissed as withdrawn with the liberty as sought and recorded hereabove.

January 29, 2025
Sangeeta

(SANJAY VASHISTH)
JUDGE

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