



**131+283 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

**1. CRM-M-43573-2024 (O&M)
Date of Decision: 18.03.2025
SARABJIT SINGH DHILLON AND OTHERS
...Petitioners
V/S**

STATE OF PUNJAB AND OTHERS ...Respondents

**2. CRM-M-57397-2024 (O&M)
Date of Decision: 18.03.2025
RAJPREET SINGH
...Petitioner
V/S**

STATE OF PUNJAB AND OTHERS ...Respondents

**3. CRM-M-3989-2025 (O&M)
Date of Decision: 18.03.2025
PARDEEP SINGH
...Petitioner
V/S**

STATE OF PUNJAB AND OTHERS ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ashish Bakshi, Advocate
for the petitioner in CRM-M-57397-2024.

Ms. Ragini, Advocate for Mr. Vaibhav Narang, Advocate
for the petitioners in CRM-M-3989-2025
and CRM-M-43573-2024.

Mr. Rishabh Singla, AAG Punjab.

Mr. Ashok Kumar, Advocate
for respondents No. 2 and 3 in CRM-M-3989-2025
and CRM-M-57397-2024.

HARPREET SINGH BRAR J. (Oral)

1. Petitioners have filed these petitions under Section 482 of Cr.P.C.
for quashing of G.D. No.043 dated 08.01.2019, under Sections 323, 324, 34
of IPC, registered at Police Station Sadar, District Police Commissionerate
Ludhiana in FIR No.001 dated 05.01.2019, under Sections 323, 324, 341,

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506, 34 of IPC, registered at Police Station Sadar, District Police Commissionerate Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise dated 20.08.2024 and 05.11.2024.

2. The following order was passed on 14.02.2025:

“CRM-45172-2024 in CRM-M-43573-2024

This application has been filed under Section 528 BNSS, 2023 for impleadment of Harwinder Singh as respondent No.4 in the present petition.

On 30.01.2025, the following order was passed:

“Learned counsel for the applicant-respondent No.4 in CRM-45172-2024 in CRM-M-43573-2024 submits that the name of the applicant is clearly reflected in the General Diary No.43 vide which the cross-version was registered and the applicant being directly affected party has not been impleaded as respondent by the petitioner despite having vested interest in the outcome of the aforesaid petition. It is further submitted that right and interest of the applicant would be directly impacted by the outcome of the above captioned petition. As such, applicant is a necessary party for fair adjudication of the matter. Learned counsel for the applicant further submits that even in the status report it has been clearly indicated by the investigating agency that applicant was one of the persons, who was given beatings by the petitioners.

Learned counsel for the petitioners submits that the applicant cannot be treated as a victim as he has not suffered any injury and there is no medico-legal report and till date he has never made any complaint against the petitioners.

In view of the above, learned State counsel is directed to verify whether applicant namely Harwinder Singh son of Baldev Singh has suffered any injury or his MLR was got conducted.

Adjourned to 14.02.2025.

A photocopy of this order be placed on the files of other connected cases.”

Learned State counsel, on instructions from ASI John Peter, submits that the applicant Harwinder Singh has not received any injuries. As such, neither he is a necessary party nor a victim.



In view of the above, present application stands dismissed.

MAIN CASES

These petitions have been filed for quashing of cross-case vide GD No.43 dated 08.01.2019 registered under Sections 323/324/34 of IPC at Police Station Sadar, District Police Commissionerate, Ludhiana arising from FIR No.1 dated 05.01.2019 registered under Sections 323/324/341/506/34 of IPC at Police Station Sadar, Ludhiana, District Police Commissionerate, Ludhiana and all the subsequent proceedings arising therefrom on the basis of compromise dated 20.08.2024 and 05.11.2024.

Mr. Ashok Kumar, Advocate puts in appearance on behalf of respondent Nos.2 and 3 in CRM-M-3989-2025 & CRM-M-57397-2024 and files his memo of appearance. He undertakes to file his power of attorney on or before the next date of hearing in the Registry of this Court well in advance. He admits to the factum of compromise.

Adjourned to 18.03.2025.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks 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.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.

A photocopy of this order be placed on the file of other connected cases.”

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.



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4. Learned counsel for appearing for respondents No. 2 and 3 in CRM-M-3989-2025 submits that appearance of all the accused is not necessary before the learned trial Court for recording their statements in terms of the compromise and consent of the complainant is relevant for the purpose of quashing of the GD(supra) on the basis of compromise and the complainant and victim have effected a compromise with all the accused persons and they have no objection, in case the GD(supra) is quashed qua all the accused including petitioner Pardeep Singh.

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 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 G.D. No.043 dated 08.01.2019, under Sections 323, 324, 34 of IPC, registered at Police Station Sadar, District Police Commissionerate Ludhiana in FIR No.001 dated 05.01.2019, under Sections 323, 324, 341, 506, 34 of IPC, registered at Police Station Sadar, District Police Commissionerate Ludhiana along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

6. A photocopy of this order be placed on the files of other connected cases.

(HARPREET SINGH BRAR)
JUDGE

18.03.2025
Ajay Goswami

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>