



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

272

CRM-M-46410-2024 (O&M)
Date of decision: 11.03.2025

Davinder Singh and others
.....Petitioners
Versus
State of Punjab and another
.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Khushika Setia, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Ms. Gurpreet Kaur, Advocate
for Mr. Kunal Garg, 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, seeking quashing of FIR No.71 dated 23.07.2024 registered under Sections 115(2), 126(2), 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (in short ‘BNS, 2023’) at Police Station City Morinda, District Rupnagar, and all other subsequent proceedings arising therefrom in view of the compromise dated 31.07.2024.
2. The following order was passed on 18.09.2024:-
- “XX XX XX XX
- Notice of motion for 11.02.2025.*



At this stage, Mr. Kunal Garg, Advocate, has put in appearance on behalf of respondent No.2 and has filed Vakalatnama, which is taken on record.

The parties are directed to move an application before the trial Court/Illaq Magistrate concerned for getting their statements recorded qua the factum of compromise. As and when any such application is moved and put up before the trial Court/Illaq Magistrate, the trial Court/Illaq Magistrate shall consider the said application and do the needful for recording the statements of the parties qua the factum of the compromise, on any convenient date. After recording the statements of all the affected parties, and upon getting requisite information from Investigating Officer, the trial Court/Illaq Magistrate shall submit its report on the basis of the statements so recorded, broadly on the following aspects:

(i) Whether there is any other accused other than the petitioner, arrayed in this petition.

(ii) Whether there is any other complainant or affected/aggrieved party other than the respondents, arrayed in the petition.

(iii) Whether any accused has been declared Proclaimed Offender?

(iv) Whether the compromise in question is found to be a valid compromise and has been effected without there being any kind of influence or coercion?

The report be submitted before this Court on or before the next date.”

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 *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.71 dated 23.07.2024 registered under Sections 115(2), 126(2), 351(3), 3(5) of BNS, 2023 at Police Station City Morinda, District Rupnagar and all other subsequent proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

11.03.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No