



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

293

CRM-M-46398-2024
Date of decision: 11.02.2025

MUKESH KUMAR AND OTHERSPetitioners

Versus

STATE OF PUNJAB AND OTHERS ...RespondentS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Shubham Mehta, Advocate for the petitioners.

Mr. Rishab Singla, AAG, Punjab.

Mr. Vivek Salathia, Advocate for respondents No.2 to 6.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of cross version registered vide G.D. No.044 dated 15.04.2024 under Sections 323, 341, 506, 148, 149 IPC at Police Station, Division B, District Police Commissionerate, Amritsar in FIR No.0055 dated 12.04.2024 under Sections 323, 324, 148, 149 IPC registered at Police Station, Division B, District Police Commissionerate, Amritsar along with all subsequent proceedings arising therefrom on the basis of compromise dated 31.08.2024 (Annexure P-3).

2. The following order was passed on 18.09.2024:-

“The petitioners seek quashing of cross version registered vide G.D. No.044 dated 15.04.2024 under Sections 323, 341, 506, 148, 149 IPC at Police Station, Division B, District Police Commissionerate, Amritsar in FIR No.0055 dated 12.04.2024 under Sections 323, 324, 148, 149 IPC registered at Police Station, Division B, District Police Commissionerate,



Amritsar and all consequential proceedings emanating therefrom on the basis of a compromise dated 31.08.2024 (Annexure P-3) having been effected between the parties.

Notice of motion for 11.02.2025.

At this stage, Mr. Vivek Salathia, Advocate, has put in appearance on behalf of respondents No.2 to 6 and has filed Memo of Appearance, 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 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.044 dated 15.04.2024 under Sections 323, 341, 506, 148, 149 IPC at Police Station, Division B, District Police Commissionerate, Amritsar in FIR No.0055 dated 12.04.2024 under Sections 323, 324, 148, 149 IPC, registered at Police Station, Division B, District Police Commissionerate, Amritsar along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

11.02.2025
Amandeep

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