



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

295

CRM-M-47679-2024
Date of decision: 11.02.2025

SUKHDEV SINGH @ SUKHAPetitioner

Versus

STATE OF PUNJAB AND ANOTHER ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Sandeep Chopra, Advocate for the petitioner.

Mr. Rishab Singla, AAG, Punjab.

Mr. Inderpal Singh, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.0114 dated 30.06.2019 under Sections 323 and 324 of IPC (Offence under Section 326 of IPC added later on), registered at Police Station Pasyana, District Patiala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 31.07.2024 (Annexure P-2).

2. The following order was passed on 23.09.2024:-
“Petitioner Sukhdev Singh alias Sukha has filed petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 0114 dated 30.06.2019 under Sections 323, 324 of IPC (Section 326 IPC added later on in challan), registered at Police Station Pasyana, District Patiala (Annexure P-1), on the basis of compromise dated 31.07.2024



(Anenxure P-2).

Notice of motion.

On the asking of this Court, Mr. Kewal Singh, Addl. AG, Punjab accepts notice on behalf of State and prays for time to file status report. Learned counsel for petitioner is directed to supply him complete copy of paperbook.

Mr. Inderpal Singh, Advocate appeared and filed Vakalatnama on behalf of respondent No. 2, which is taken on record.

Let statements of petitioner and respondent No. 2 be recorded with regard to compromise, on or before 28.10.2024 by learned Illaqa/Duty Magistrate concerned, as per convenience of said Court. In the event of their statements being recorded, Court will send copies of same to this Court before the next date of hearing along with its report i.e.,

1. The number of accused in the aforesaid FIR and to report whether any of the accused have been declared proclaimed offender(s) or any such proceedings have been initiated or pending against him/them.

2. Whether compromise entered between the parties is genuine, voluntary without any coercion or undue influence.

3. Statement of IO regarding involvement of petitioner in any other FIR.

4. Status of the trial pending before the Court.

To await the report, list again on 21.11.2024.

Status report be also filed by respondent – State by the adjourned 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 FIR No.0114 dated 30.06.2019 under Sections 323 and 324 of IPC (Offence under Section 326 of IPC added later on), registered at Police Station Pasyana, District



Patiala (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

11.02.2025
Amandeep

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