



CRM-M-48282-2024 (O&M)

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300(2)

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-48282-2024 (O&M)

Date of Decision: 10.02.2025

SARABJIT SINGH AND ANOTHER

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Jasraj Singh, Advocate
for the petitioners.

Mr. Nitesh Sharma, DAG Punjab.

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

Harpreet Singh Brar, J. (Oral)

1. The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for quashing of FIR No.08 dated 16.03.2024 (Annexure P-1) under Sections 448/511/379 of IPC, 1860 registered at Police Station NRI Cell, District Hoshiarpur along with all subsequent proceedings arising therefrom on the basis of compromise dated 06.09.2024 (Annexure P-2) arrived at between the parties.

2. The following order was passed on 30.09.2024:

“The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for quashing of FIR No.08 dated 16.03.2024 (Annexure P-1) under Sections 448/511/379 of IPC, 1860 registered at Police Station NRI Cell, District Hoshiarpur along with all subsequent proceedings arising therefrom on the basis of compromise dated 06.09.2024 (Annexure P-2) arrived at between the parties.

Notice of motion.

At the asking of the Court, Ms. Manjot Kaur, AAG, Punjab appears and accepts notice on behalf of respondent



No.1-State. A copy of the paper book be supplied to her during the course of the day.

Mr. Parunjeet Singh, Advocate has appeared and filed his power of attorney on behalf of respondent No.2 today in the Court and the same is taken on record. He affirmed the factum of compromise between the parties.

Let the parties to appear before the trial Court/Duty Magistrate, as the case may be, within a period of 30 days, for getting their statements recorded with regard to the compromise by moving an application or presenting this order. The statements of the parties with regard to the compromise may be recorded on the same day or on any other day convenient to Illaqa/Duty Magistrate but not later than six days thereof. Trial Court is directed to report on the following points:-

- (i) how many total accused are facing the trial;*
- (ii) whether challan is presented in the Court? If so, against how many accused;*
- (iii) whether any of the accused was declared proclaimed offender at any stage of trial;*
- (iv) status/stage of the trial/case;*
- (v) to record the statements of all the concerned parties with regard to the genuineness and validity or otherwise of the compromise;*
- (vi) to record the statement of Investigating Officer with regard to points No.(i), (ii), (iii) and (iv) as above.*

Report be sent through the District & Sessions Judge, before the next date of hearing.

Adjourned to 17.12.2024.

The petitioners shall deposit costs of Rs.5000/- with the concerned District Legal Services Authority on or before the date of recording of their statements and produce copy of receipt before the trial Court/Illaqa Magistrate.”

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties



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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.08 dated 16.03.2024 (Annexure P-1) under Sections 448/511/379 of IPC, 1860 registered at Police Station NRI Cell, District Hoshiarpur along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

10.02.2025
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No