



286 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-49260-2024
Date of decision: 25.03.2025

JATINDER SINGH ALIAS GORA AND ANOTHER

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Raghav Soni, Advocate for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Vivek Singla, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.90 dated 16.06.2024 under Sections 379 & 411 IPC registered at Police Station Chheharta, District Amritsar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 13.09.2024 (Annexure P-2).

2. The following order was passed on 01.10.2024 :-

"The petitioners seek quashing of FIR No.90 dated 16.06.2022 under Sections 379, 411 IPC registered at Police Station Chheharta, District Amritsar and all consequential proceedings emanating therefrom on the basis of a compromise dated 13.09.2024 (Annexure P-2) having been effected between the parties.

Notice of motion for 25.02.2025.

At this stage, Mr. Vivek Singla, 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/Illaqa 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/Illaqa Magistrate, the trial Court/Illaqa 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/Illaqa 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. Thereafter, on 25.02.2025, the parties were again directed to appear before the jurisdictional/Illaqa Magistrate within a period of two weeks. In compliance of the aforesaid orders, 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 46***, 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.90 dated 16.06.2024 under Sections 379 & 411 IPC registered at Police Station Chheharta, District Amritsar (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

March 25, 2025
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(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |