

**CRM-M-50118-2024 (O&M)****1****110+237 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH****CRM-M-50118-2024 (O&M)
Date of Decision: 15.02.2025****AMANDEEP SINGH AND OTHERS****...Petitioners****Versus****STATE OF PUNJAB AND ANOTHER****...Respondents****CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Ms. Ekjot Sandhu, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Madhavrao B. Rajwade, Advocate
for respondent No. 2.

*********Harpreet Singh Brar, J. (Oral)****CRM-6614-2025**

This is an application filed under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 seeking permission for placing on record challan/final report as Annexure P-7.

Allowed as prayed for and challan/final report is taken on record as Annexure P-7.

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1. The present petition has been filed seeking quashing of FIR No.51, dated 22.02.2022, under Section 379 of the IPC (Sections 411 and 34 IPC added later on), registered at Police Station Division A, District Police Commissioner-ate, Amritsar, and all the other consequential proceedings arising therefrom, on the basis of compromise/affidavit dated 30.08.2024 (Annexure P-2).

2. The following order was passed on 04.10.2024:



“The present petition has been filed seeking quashing of FIR No.51, dated 22.02.2022, under Section 379 of the IPC (Sections 411 and 34 IPC added later on), registered at Police Station Division A, District Police Commissionerate, Amritsar, and all the other consequential proceedings arising therefrom, on the basis of compromise/affidavit dated 30.08.2024 (Annexure P-2).

Notice of motion.

Mr. Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of respondent no.1 and waives service.

Mr. Madhavrao B. Rajwade, Advocate, has caused appearance on behalf of respondent no.2, through a validly executed power of attorney in his favour. The same is taken on record. He submitted that he has no objection in case the FIR (supra) is quashed on the basis of compromise (supra).

In view of above, the parties are directed to appear before the learned Illaqa Magistrate/trial Court concerned, to get their respective statements recorded regarding compromise, and after recording their respective statements, the learned trial Court/Illaqa Magistrate concerned, is directed to send the same alongwith its report, regarding the genuineness of compromise, on or before the next date of hearing in the present petition specifically with regard to the following facts:-

- 1. Number of persons arrayed as accused in the FIR;*
- 2. Whether any accused is proclaimed offender;*
- 3. Stage of the trial/proceedings.*
- 4. Whether the compromise is genuine, voluntary, and without any coercion or undue influence and*
- 5. Total number of victims and their names.*

It is made clear that complainant/private respondent should also appear in person before the learned trial Court/Illaqa Magistrate concerned, to get his statement recorded regarding the compromise.

To come up on 27.11.2024.

The State counsel is also directed to verify the factum of compromise by the date fixed.



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A copy of this order be sent to the learned trial Court/Illaqa Magistrate for compliance.”

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. Learned counsel for the petitioners submit that person namely Baljeet Singh is neither the complainant nor can he be treated as victim, he is only cited as a prosecution witness and till date he has not filed any complaint against the petitioners.

5. 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 (CrI.) 1052**, this petition is allowed and FIR No.51, dated 22.02.2022, under Section 379 of the IPC (Sections 411 and 34 IPC added later on), registered at Police Station Division A, District Police Commissionerate, Amritsar, along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

15.02.2025*Ajay Goswami*

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>