



306-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision: 28.01.2025

1.

CRM-M-52310-2024

HARPREET SINGH AND OTHERS

V/S

STATE OF PUNJAB AND OTHERS

...PETITIONERS

...RESPONDENTS
2.

CRM-M-56041-2024

SARABJIT SINGH

V/S

STATE OF PUNJAB AND OTHERS

...PETITIONER

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Amit Arora, Advocate
 for the petitioners (in both cases).
 Mr. Rishabh Singla, AAG, Punjab.
 Mr. Jagjeet Singh, Advocate for respondent Nos.2 and 3.

HARPREET SINGH BRAR, J. (ORAL)

1.

This order of mine shall dispose of above mentioned petitions as both are arising out of the same FIR. For the sake of brevity, facts are borrowed from *CRM-M-52310-2024* titled as *Harpreet Singh and others v. State of Punjab and others.*
2.

Prayer in these petitions filed under Section 482 Cr.P.C. is for quashing of FIR No.84 dated 23.07.2024, under Sections 125, 333, 251(2), 190, 191(3) of BNS and Section 25 of Arms Act, 1959, registered at Police Station Khilchian, District Amritsar Rural (Annexure P-1) along with all the



**CRM-M-52310-2024
& 01 connected case**

2

subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

3. Power of attorney filed on behalf of respondent Nos.2 and 3 is taken on record. Registry is directed to tag the same at appropriate place.

4. The following order was passed on 28.11.2024 :-

“Prayer in these petitions filed under Section 482 Cr.P.C. is for quashing of FIR No.84 dated 23.07.2024, under Sections 125, 333, 251(2), 190, 191(3) of BNS and Section 25 of Arms Act, 1959, registered at Police Station Khilchian, District Amritsar Rural along with all the subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

2. *Notice of motion.*

3. *Upon advance notice, Mr. Vinay Kumar, DAG, Punjab accepts notice on behalf of respondent No.1/State and Mr. Jagjeet Singh, Advocate has put in appearance on behalf of respondent Nos.2 and 3 and files his memorandum of appearance in Court, which are taken on record. He has admitted the factum of compromise and supports the prayer made in the petition.*

4. *In view of the above, the parties and the Investigating Officer are directed to appear before the Area Magistrate/Trial Court on 03.12.2024 or on any day thereafter as fixed by the Trial Court, for getting their statements recorded with regard to the compromise. The Area Magistrate/Trial Court shall submit a report on or before the next date of hearing specifying the following:-*

1. The number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/P.O. in the case;

2. The name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;

3. The stage of trial/proceedings;

4. If the compromise is genuine, voluntary and out of free will of the parties.

5. Whether any other criminal case is pending against the accused.

5. *Report of the Area Magistrate/Trial Court be awaited for 28.01.2025.*



6. *A photocopy of this order be placed on the file of another connected case.”*
5. In compliance of the aforesaid, 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.
6. 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.84 dated 23.07.2024, under Sections 125, 333, 251(2), 190, 191(3) of BNS and Section 25 of Arms Act, 1959, registered at Police Station Khilchian, District Amritsar Rural (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners in both the cases.

January 28, 2025
manisha

(HARPREET SINGH BRAR)
JUDGE

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