



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

**CRM-M-55363-2024
Date of decision: 20.01.2025**

AJAYPAL AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sanjeev Duggal, Advocate for the petitioners.
Mr. Rishabh Singla, AAG, Punjab.
Mr. Syivester Stephen, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 BNSS seeking quashing of FIR No.63 dated 20.03.2021 under Sections 506, 201, 323, 341, 324, 148 & 149 IPC registered at Police Station City Phagwara, District Kapurthala (Annexure P-1), DDR No.26 dated 26.12.2023 (Annexure P-2) and DDR No.13 dated 29.12.2023 (Annexure P-3) along with all subsequent proceedings arising therefrom on the basis of compromise dated 03.10.2024 (Annexure P-4).

2. The following order was passed on 11.11.2024 :-

“This petition has been filed for quashing of FIR No.63 dated 20.03.2021 (Annexure P1) under Sections 506, 201, 323, 341, 324, 148 & 149 IPC registered at Police Station City Phagwara, District Kapurthala, DDR No.26 dated 26.12.2023 (Annexure P2) and DDR No.13 dated 29.12.2023 (Annexure P3) along with all consequential proceedings arising therefrom, on the basis of compromise dated 03.10.2024 (Annexure P4) arrived at between the parties.

Notice of motion.



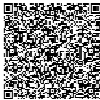
Mr. Vinay Kumar, DAG, Punjab, accepts notice on behalf of respondent No.1-State and Mr. Syivester Stephen, Advocate, accepts notice on behalf of respondent No.2 and has filed his vakalatnama. The same is taken on record. He has admitted the factum of compromise effected between the parties. The parties are directed to appear before the trial Court/Illaqa/Duty Magistrate on 18.11.2024 or any other future date as per its convenience or on request of the parties for getting their statements recorded with regard to the compromise. The trial Court/Illaqa/Duty Magistrate shall submit the report on or before the next date of hearing. The report be forwarded to this Court 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/proclaimed person, 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 the trial/proceedings pending;*
- 4. If, the compromise is genuine, voluntary and out of free will of the parties;*
- 5. Whether any other criminal case pending against the accused.*

Report of the trial Court/Illaqa/Duty Magistrate be awaited for 20.01.2025”

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 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.63 dated 20.03.2021 under Sections 506, 201, 323, 341, 324, 148



& 149 IPC registered at Police Station City Phagwara, District Kapurthala (Annexure P-1), DDR No.26 dated 26.12.2023 (Annexure P-2) and DDR No.13 dated 29.12.2023 (Annexure P-3) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

January 20, 2025
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(HARPREET SINGH BRAR)
JUDGE

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