



311 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54036-2024
Date of decision: 21.01.2025

AMANDEEP SINGH AND ANOTHER

...PETITIONERS

V/S

UT OF CHANDIGARH AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sylvester Stephen, Advocate for the petitioners.
Mr. Shashank Bhandari, Addl. P.P., UT Chandigarh.
Ms. Jasmine, Advocate for
Mr. Devinder Singh, 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.76 dated 16.07.2024 under Sections 409, 420, 467, 468, 471 and 120- B of IPC (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 17.07.2024 (Annexure P-2).

2. The following order was passed on 25.11.2024 :-

“The prayer in the present petition filed under Section 528 BNSS is for quashing of FIR No.76 dated 16.07.2024 under Sections 409, 420, 467, 468, 471 and 120- B of IPC registered at Police Station North, Chandigarh and all subsequent proceedings arising therefrom on the basis of compromise dated 17.07.2024 arrived between the parties.

Notice of motion.

At the asking of the Court, Mr. Shashank Bhandari, Addl. PP, U.T., Chandigarh appears and accepts notice on behalf of respondent No.1-State. A copy of the paper book be supplied to him during the course of the day.

Mr. Devinder Singh, Advocate has appeared on behalf of respondent No.2 and has filed his power of attorney in the Court



today and the same is taken on record. He affirms 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. The statements of the parties with regard to the compromise may be recorded on the same day or on any other day convenient to trial Court/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 21.01.2025.

The petitioners shall deposit costs of Rs.10,000/- with the Institute for Blind, Sector -26, Chandigarh on or before the date of recording of their statements and produce copy of receipt before the Trial Court/Duty Magistrate.”

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.76 dated 16.07.2024 under Sections 409, 420, 467, 468, 471 and 120- B of IPC (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

January 21, 2025
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(HARPREET SINGH BRAR)
JUDGE

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