



CRM-M-55346-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARHCRM-M-55346-2024 (O&M)
Date of Decision: 03.02.2025

IQBAL SINGH SODHI AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Arun Avasty, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Raghuvinder Singh, Advocate
for respondents No. 2 to 6.

Harpreet Singh Brar, J. (Oral)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No. 117 dated 14.09.2024 under Sections 420, 120-B of IPC, registered at Police Station Kotwali, Bathinda (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 26.10.2024 (Annexure P-2).

2. The following order was passed on 12.11.2024:

“Prayer in the present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for quashing of FIR No.117, dated 14.09.2024, under Sections 420, 120-B of IPC, registered at Police Station Kotwali, Bathinda (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 26.10.2024 (Annexure P-2) arrived at between the parties.

Notice of motion.



At the asking of the Court, Mr. Rajinder Singh Bhatta, DAG, Punjab, accepts notice on behalf of respondent No.1-State.

Appearance has also been caused by Mr. Raghu-vinder Singh, Advocate on behalf of respondents No.2 to 6 and has filed his vakalatnama in Court today, which is taken on record. He affirms the factum of compromise between the parties.

Let the parties to appear before the trial Court/Illaqa 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/Illaqa Magistrate but not later than six days thereof, however, that would be subject to payment of costs of Rs.10,000/- to be deposited by the petitioners with the concerned District Legal Services Authority. A receipt thereof shall be produced before the concerned Magistrate before recording the statements.

The 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 03.02.2025.”



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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 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. 117 dated 14.09.2024 under Sections 420, 120-B of IPC, registered at Police Station Kotwali, Bathinda (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

03.02.2025

Ajay Goswami

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