

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

297

CRM-M-56298-2024

Date of decision: 11.02.2025

SAHIL BHATTI AND ORS

....Petitioners

Versus

STATE OF PUNJAB AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

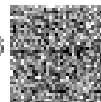
Present : Mr. P.P. Chaudhary, Advocate for the petitioners.

Mr. Rishab Singla, AAG, Punjab.

Mr. R.S. Bhullar, Advocate
for respondent No.2.

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.151 dated 03.08.2023 under Sections 323, 324, 148 and 149 of IPC, registered at Police Station City South, District Moga (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 22.10.2024 (Annexure P-2).
2. Learned counsel for respondent No.2 submits that it is a case of version and cross-version and the quashing sought by respondent No.2 to 4 has already been filed, i.e. the petition seeking quashing of the cross-version, and the same is likely to be registered in the coming week and as such the petitioners may be directed to abide by the terms and conditions, and in case they do not co-operate with the quashing of the cross-version, liberty may be granted to respondent No.2 to revive the present petition.
3. The following order was passed on 13.1.2025:



“The petitioners has approached this Court seeking quashing of FIR/DDR and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

The parties are directed to get their statements recorded qua the factum of compromise in the following manner:

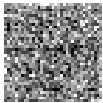
(i) The petitioners shall appear before the trial Court/Illaq Magistrate concerned on 20.1.2025 or any date thereafter as fixed by trial Court/Illaq Magistrate for recording statements of the petitioners as well as of the complainant qua the factum of compromise. As and when any such appearance is made, the trial Court/Illaq Magistrate shall do the needful for recording the statements of the parties qua the factum of the compromise. It shall be open to the trial Court/Illaq Magistrate to either record the statements of the parties by physical process or by video conferencing as deemed appropriate by the trial Court/ Illaq Magistrate.

(ii) In case the statement is to be recorded by way of video conferencing, the parties concerned shall be duly identified through video conferencing by their respective counsel, subject to the satisfaction of the Presiding Officer.

(iii) The trial Court/Illaq Magistrate may also choose to get the statements of the parties recorded through some Commissioner, appointed by the Court who would be some Advocate having sufficient standing at the Bar. In case the statement is recorded through some Commissioner, such Commissioner/Advocate shall furnish an affidavit after recording statements to the effect that the parties had appeared before him/her and he/she had recorded their statements as per law and that the said parties had been duly identified by their respective counsel. This shall be subject to satisfaction of trial Court/Illaq Magistrate.

After recording the statements of all the affected parties in either of the aforesaid manner, the trial Court/Illaq Magistrate shall submit its report on the basis of the statements so recorded as to whether all the affected parties have entered into a compromise and as to whether the compromise in question is found to be a valid compromise and has been effected without there being any kind of influence or coercion. The trial Court/Illaq Magistrate shall also report as regards the following facts after seeking information from Investigating Officer, concerned:

(i) Whether there is any other accused other than the petitioners,



arrayed in this petition?

(ii) Whether there is any other complainant or affected/ aggrieved party other than the respondents, arrayed in the petition?

(iii) Whether any accused has been declared Proclaimed Offender?

The report be submitted before this Court before the next date of hearing i.e. 11.2.2025.

Photocopy of this order be placed on the connected case file. ”

4. 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.

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 Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052**, this petition is allowed and FIR No.151 dated 03.08.2023 under Sections 323, 324, 148 and 149 of IPC, registered at Police Station City South, District Moga (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

6. Disposed of accordingly, however, liberty is granted to respondent No.2 to revive the present petition in case the petitioners do not co-operate and abide by the terms and conditions of the compromise (Annexure P-2) in seeking quashing of the cross-version in the FIR (supra).

(HARPREET SINGH BRAR)
JUDGE

11.02.2025

Amandeep

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No