



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

301

CRM-M-57718-2024

Date of Decision: 18.02.2025

SURINDER SHARMA AND ANOTHER

...PETITIONERS

Versus

STATE OF PUNJAB AND OTHERS

... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE N. S. SHEKHAWAT

Present: Mr. Naveen Batra, Advocate
for the petitioners.

Mr. Rubal Pawar, AAG, Punjab.

Mr. Rahul Garg, Advocate
for respondents No.2 & 3.

N. S. SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of an FIR No.0111 dated 24.07.2024 under Sections 109, 127(1), 118(1), 3(5) of BNS, 2023 registered at Police Station Mukerian, District Hoshiarpur (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 02.11.2024 (Annexure P-2).



2. Learned counsel for the petitioners submits that petitioner as well as the private respondents are closed family members and the injuries No.1 and 2 on the person of respondent No.3 have been declared to be grievous in nature and the offence under Section 109 of BNS has been wrongly added in the present case.

3. Vide order dated 14.01.2025, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 02.11.2024 (Annexure P-2).

4. Pursuant to aforesaid order, the parties have appeared before the learned Sub Divisional Judicial Magistrate, Mukerian and got their statements recorded. Report dated 24.01.2025 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

5. I have heard counsel for the parties and gone through the case file.

6. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh**



Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543 and Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052, the present petition for quashing the FIR is allowed qua the petitioners.

7. Resultantly, FIR No.0111 dated 24.07.2024 under Sections 109, 127(1), 118(1), 3(5) of BNS, 2023 registered at Police Station Mukerian, District Hoshiarpur (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

18.02.2025.
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(N. S. SHEKHAWAT)
JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No