



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

CRM-M-57072-2024

Date of Decision: 03.02.2025

Barinder Singh

...Petitioner

vs.

State of Punjab and another

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vedant Setia, Advocate, for the petitioner.

Mr. Deepinder Singh Brar, Senior DAG, Punjab.

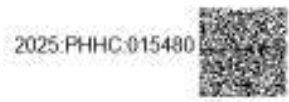
Mr. Mandeep Singh, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 144 dated 25.09.2024 registered under Sections 304(2) of BNS (Section 317(2) of BNS added later on), at Police Station City Malout, District Sri Muktsar Sahib (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 30.10.2024 (Annexures P-2 and P-3).

2. Vide order dated 18.11.2024, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise/affidavit dated 30.10.2024 (Annexures P-2 and P-3)

3. Pursuant to aforesaid order, the parties have appeared before the Sub-Divisional Judicial Magistrate, Malout and got their statements recorded. Report dated 07.12.2024 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.

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

5. 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 petitioner.

6. Resultantly, FIR No. 144 dated 25.09.2024 registered under Sections 304(2) of BNS (Section 317(2) of BNS added later on), at Police Station City Malout, District Sri Muktsar Sahib (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 30.10.2024 (Annexures P-2 and P-3) are hereby quashed qua the petitioner.

03.02.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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