



257

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

CRM-M-58433-2024

Date of decision: 23.07.2025

JODHBIR SINGH ALIAS JODHA**....Petitioner****Versus****STATE OF PUNJAB AND ANOTHER****....Respondents****CORAM: HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Mr. G.S. Simble, Advocate
for the petitioner.

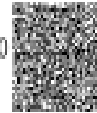
Ms. Amrit Kaur Mahir, AAG, Punjab.

Ms. Rajinder Kaur, Advocate
for respondent No.2.

AMARJOT BHATTI, J.

1. Petitioner has filed petition under Section 528 of BNSS, 2023 for quashing of FIR No.199, dated 30.09.2017, registered under Sections 354-D, 506 of IPC, at Police Station Civil Lines Batala, District Batala (Annexure P-1) and all subsequent proceedings arising there-from, qua the petitioner, in light of compromise dated 30.10.2024 effected between the parties (Annexure P-2)

2. As per facts of the case, complainant/respondent No.2 Rajbir Kaur filed written complaint alleging that on 27.09.2017 at about 05:00 p.m., she was returning from her place of work on her Activa and when she reached near Umarpura road, a sikh boy came on a Bullet Motorcycle bearing No. PB02CT9828 in front of her Activa and started following her with bad intention. He also passed objectionable comments. On her protest, he started threatening her. He followed her to village Bahadur Hussain



where Manpreet Singh @ Manna of her village was standing there. On seeing him, he turned his motorcycle towards Batala where Manpreet Singh @ Manna told the name of said boy as Jodhbir Singh @ Jodha. With these allegations, present complaint is filed.

3. Petitioner-Jodhbir Singh @ Jodha filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 07.01.2025, petitioner and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Judicial Magistrate 1st Class, Batala, dated 17.02.2025. Statement of respondent No.2 has been recorded where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected voluntarily, without any undue influence or coercion and she has no objection regarding quashing of FIR.

4. Petitioner-Jodhbir Singh @ Jodha also confirmed this fact in his statement. Statement of ASI Samuel Masih is also recorded who confirmed that petitioner is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate 1st Class, Batala, it is clear that compromise has been effected between the parties without any undue influence or coercion. They have mutually settled all their claims. They are living in the same area i.e. District Gurdaspur. It will end the litigation started between the parties.

6. Gainful reference can be made to the judgment of Larger Bench of Five Judges of this High Court cited in 2007(3) R.C.R. (Criminal) 1052 tilted as Kulwinder Singh and Ors. Vs. State of



Punjab and Anr., where it was explained that ‘there can never be any hard and fast category which can be prescribed to enable the court to exercise its power under Section 482 of Cr.P.C. The only principle that can be laid down is the one which has been incorporated in the section itself i.e. to prevent abuse of the process of any court or to secure the ends of justice.’

7. Therefore, by relying upon the ratio of the aforesaid judgment, no purpose would be served with the continuation of criminal proceedings. Considering these facts, the petition filed by the petitioner is accepted and FIR No.199, dated 30.09.2017, registered under Sections 354-D, 506 of IPC, at Police Station Civil Lines Batala, District Batala, along with all subsequent proceedings arising therefrom, are quashed qua petitioner.

8. Pending miscellaneous application, if any, shall also stands disposed of accordingly.

**(AMARJOT BHATTI)
JUDGE**

23.07.2025
monika

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No