



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

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**CRM-M-59238-2024(O&M)
Date of Decision: 10.01.2025**

GURWINDER SINGH @ GURVINDER SINGH & OTHERS

....Petitioners

VERSUS

STATE OF PUNJAB AND ANR

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Ms. Shivaly Singla, Advocate for the petitioner.

Ms. Swati Batra, DAG, Punjab.

Mr. Rishav Jain, Advocate for respondent no.2.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short BNSS) for quashing of FIR No.104 dated 10.09.2024 under Sections 140(3), 115(2), 126(2), 127(2), 351(2), 191(3), 190 of Bharatiya Nyaya Sanhita, 2023 registered at Police Station Moonak, District Sangrur and all the subsequent proceedings arising therefrom, on the basis of compromise dated 19.10.2024 (Annexure P-2).

2. This Court vide order dated 28.11.2024 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before the learned Sub-Divisional Judicial Magistrate, Moonak and got their statements



recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 23.12.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

6. Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and FIR No.104 dated 10.09.2024 under Sections 140(3), 115(2), 126(2), 127(2), 351(2), 191(3), 190 of Bharatiya Nyaya Sanhita, 2023 registered at Police Station Moonak, District Sangrur and all subsequent proceedings arising therefrom on the basis of compromise dated 19.10.2024 (Annexure P-2) are quashed qua the petitioners.

(MANISHA BATRA)
JUDGE

10.01.2025

Deepak Patwal

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No