



CRM-M-58758-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-58758-2024 (O&M)

Date of Decision: 24.03.2025

MANBIR SINGH AND OTHERS

...PETITIONERS

Versus

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ravinder Singh, Advocate for
Ms. Himani Kapila, Advocate for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

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

Harpreet Singh Brar, J. (Oral)

1. Present petition has been filed praying for quashing of FIR No.35, dated 31.08.2024, under Sections 118(2), 115(2), 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023, registered at Police Station Ghuman Kalan, District Gurdaspur (Annexure P-1) as the matter has been compromised by way of compromise deed dated 15.11.2024 (Annexure P-2).

2. The following order was passed on 03.12.2024:

“Present petition has been filed praying for quashing of FIR No.35, dated 31.08.2024, under Sections 118(2), 115(2), 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023, registered at Police Station Ghuman Kalan, District Gurdaspur (Annexure P-1) as the matter has been compromised by way of compromise deed dated 15.11.2024 (Annexure P-2). Further prayer has been made for staying the further proceedings during the pendency of the present petition.

Learned counsel appearing on behalf of the petitioners has contended that the parties have compromised the matter and as such the present FIR is liable to be quashed.

Notice of motion.

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On asking of the Court, Mr. Tarun Aggarwal, Sr. DAG, Punjab appears and accepts notice on behalf of respondent No.1-State.

At this stage, Ms. Ramandeep Kaur, Advocate has filed her power of attorney on behalf of respondent No.2 today in the Court and the same is taken in record. She has endorsed the contention raised by learned counsel for the petitioners and has not denied the factum of compromise effected between the parties.

Adjourned to 24.03.2025.

In the meanwhile, both the parties are directed to appear before the concerned trial Court/Illaq Magistrate on 24.01.2025 for recording their statements, who shall record their respective statements with regard to the genuineness/correctness of the compromise and that the compromise is not the result of any fraud or misrepresentation and is the result of free will of the parties. It would also be verified that besides the accused (petitioners) mentioned in the petition, there is no other accused in the FIR and the parties are not involved or declared proclaimed offender in any other criminal case. The trial Court/Illaq Magistrate shall send his/her report through learned Sessions Judge concerned on or before the date fixed before this Court.

The State to file status report before the next date of hearing.”

3. 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.

4. 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 **Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052**, this petition



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is allowed and FIR No.35, dated 31.08.2024, under Sections 118(2), 115(2), 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023, registered at Police Station Ghuman Kalan, District Gurdaspur (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

24.03.2025

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No