



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

309

CRM-M-59557-2024(O&M)

Date of Decision: 20.01.2025

JASKARAN SINGH

....Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Pranjal P. Chaudhary, Advocate for the petitioner.

Ms. Himani Arora, AAG, Punjab.

Mr. R.K. Saini, 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 quashing of FIR No.239 dated 07.11.2022 under Sections 353, 186 of IPC registered at Police Station Baghapurana, District Moga and all the subsequent proceedings arising therefrom, on the basis of compromise by way of an affidavit of respondent no.2 dated 07.10.2024 (Annexure P-2).

2. Power of Attorney has been filed on behalf of respondent no.2.

The same is taken on record and be tagged at the appropriate place.

3. 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.



4. Pursuant to the aforesaid order, parties have appeared before the learned Sub-Divisional Judicial Magistrate, Baghapurana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 24.12.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

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

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

7. 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 quashing of FIR No.239 dated 07.11.2022 under Sections 353, 186 of IPC registered at Police Station Baghapurana, District Moga and all subsequent proceedings arising therefrom on the basis of compromise by way of an affidavit of respondent no.2 dated 07.10.2024 (Annexure P-2) are quashed qua the petitioner.

20.01.2025

Deepak Patwal

(MANISHA BATRA)

JUDGE

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