



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

297

CRM-M-60771-2024

Date of Decision: 20.02.2025

GURMEET SINGH ALIAS BUNTY AND OTHERS

...PETITIONERS

Versus

STATE OF PUNJAB AND ANR

... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE N. S. SHEKHAWAT

Present: Mr. Ajay Pal Singh Rehan, Advocate
for the petitioners.

Mr. Akshay Kumar, AAG, Punjab.

Mr. Sandeep Godara, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing in case CIS No.COMI-35 of 2022, instituted on 23.03.2022 (Annexure P-1) titled as 'Sanjiv Kapila Vs. Mani Sharma and others' under Sections 323, 324, 506, 120-B, 307, 148 & 149 of IPC on the basis of compromise deed 13.11.2024 (Annexure P-6) alongwith all consequential/subsequent proceedings arising therefrom including the summoning order dated 29.07.2022 (Annexure P-2) passed by Ld.



JMIC, Hoshiarpur, whereby the petitioners have been summoned under Sections 323, 324, 307, 379-B & 34 of IPC and the Sessions case bearing number SC No.368 of 2024 titled as 'Sanjiv Kapila vs. Mani Sharma and others'.

2. Vide order dated 15.01.2025, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 13.11.2024 (Annexure P-6).

3. Pursuant to aforesaid order, the parties have appeared before the learned Additional District & Sessions Judge, Hoshiarpur and got their statements recorded. Report dated 23.01.2025 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 petitioners.

6. Resultantly, case CIS No.COMI-35 of 2022, instituted on 23.03.2022 (Annexure P-1) titled as ‘Sanjiv Kapila Vs. Mani Sharma and others’ under Sections 323, 324, 506, 120-B, 307, 148 & 149 of IPC on the basis of compromise deed 13.11.2024 (Annexure P-6) alongwith all consequential/subsequent proceedings arising therefrom including the summoning order dated 29.07.2022 (Annexure P-2) passed by Ld. JMIC, Hoshiarpur, whereby the petitioners have been summoned under Sections 323, 324, 307, 379-B & 34 of IPC and the Sessions case bearing number SC No.368 of 2024 titled as ‘Sanjiv Kapila vs. Mani Sharma and others’ alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

20.02.2025
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(N. S. SHEKHAWAT)
JUDGE

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