



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

CRM-M-60164-2024
Date of decision: 07.03.2025

VIKAS AND ANOTHER

...PETITIONERS

V/S

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Pankaj Bali, Advocate for the petitioners.

Mr. Ramesh Kumar Ambavta, AAG, Haryana &
Mr. Harkesh Kumar, AAG, Haryana.

Mr. Sikandh Mehta, Advocate for respondent Nos.2 and 3.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 BNSS seeking quashing of FIR No.8 dated 03.01.2022 under Sections 148/149/307/323/427/506 of IPC registered at Police Station Sector 32-33, Karnal (Annexure P-1) and charge order dated 08.09.2022 under Sections 34/307/323/427/506/120-B of IPC along with all subsequent proceedings arising therefrom on the basis of compromise dated 11.02.2022 (Annexure P-4).

2. The following order was passed on 06.02.2025 :-

“This petition has been filed under Section 528 BNSS seeking quashing of FIR No.8 dated 03.01.2022 under Sections 148/149/307/323/427/506 of IPC registered at Police Station Sector 32-33, Karnal (Annexure P-1) and charge order dated 08.09.2022 under Sections 34/307/323/427/506/120-B of IPC along with all subsequent proceedings arising therefrom on the basis of compromise dated 11.02.2022 (Annexure P-4).

Reply filed by way of affidavit dated 30.01.2025 of Nayab Singh, HPS, Deputy Superintendent of Police (HQ) Karnal on



behalf of respondent No.1-State is taken on record. A copy of the same has been supplied to counsel for the petitioners.

*Learned counsel for the petitioners inter alia contends that as per the MLR (Annexure R-1) attached with the aforesaid reply, the injuries are on the non-vital part and further, Annexure R-2 is the opinion of the doctor, in which, no opinion with regard to the injury being dangerous to life has been given and submits that the factual ingredients to invoke the provisions of Section 307 of Indian Penal Code are not attracted. He relies upon the judgment passed by the Hon'ble Supreme Court of India in case of **The State of Madhya Pradesh vs. Laxmi Narayan and others, 2019 (5) SCC 688** and submits that there is no embargo in quashing of the FIR (supra), if prima facie, offence under Section 307 IPC is not made out.*

Adjourned to 07.03.2025.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get recorded their statements regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 07.03.2025.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

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 46**, 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 is allowed and FIR No.8 dated 03.01.2022 under Sections 148/149/307/323/427/506 of IPC registered at Police Station Sector 32-33, Karnal (Annexure P-1) and charge order dated 08.09.2022 under Sections 34/307/323/427/506/120-B of IPC and all consequential proceedings arising out of the same are quashed, qua the petitioners.

March 07, 2025
manisha

(HARPREET SINGH BRAR)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |