



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

289

CRM-M-60442-2024(O&M)

Date of Decision: 19.02.2025

SURESH AND OTHERS

....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Amit Khari, Advocate for the petitioners.

Mr. Rajiv Sidhu, DAG, Haryana.

Mr. Pradeep Chhoker, Advocate for

Mr. Rahul Yadav, Advocate for respondents no. 2 to 5.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.72 dated 23.02.2022 under Sections 148, 149, 323, 427, 452, 506 of IPC and 25 of Arms Act of registered at Police Station Chandhut, District Palwal and all the subsequent proceedings arising therefrom, on the basis of compromise dated 21.11.2024 (Annexure P-2).

2. This Court vide order dated 16.01.2025 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. Learned counsel for the petitioner submits today that petition may be withdrawn so far as petitioners no. 9 to 15 are concerned since they have not been challaned/charge-sheeted by the Investigating Agency. It is ordered to be so. The names of petitioners no.9 to 15 are ordered to be deleted from the memo of parties. Amended memo of parties has been placed on record.



4. Pursuant to the aforesaid order, parties have appeared before the learned Judicial Magistrate 1st Class, Palwal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 27.01.2025 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 to 5 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 FIR No.72 dated 23.02.2022 under Sections 148, 149, 323, 427, 452, 506 of IPC and 25 of Arms Act of registered at Police Station Chandhut, District Palwal and all subsequent proceedings arising therefrom on the basis of compromise dated dated 21.11.2024 (Annexure P-2) are quashed qua the petitioners.

19.02.2025

Deepak Patwal

(MANISHA BATRA)
JUDGE

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