

2025.PHHC.000749



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

CRM-M-60715-2024
Date of Decision: 08.01.2025

Simranjit Singh and another ...Petitioners
Versus
State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kushagra Mahajan, Advocate for the petitioners.
Mr. Rishabh Singla, AAG, Punjab.
Mr. Ankush Rampal, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.335 dated 13.09.2015 under Sections 323 and 325 of IPC, 1860, registered at Police Station A-Division, District Amritsar (Annexure P-1), judgment of conviction dated 21.03.2022 (Annexure P-2) passed by the Ld. JMIC, Amritsar and all subsequent proceedings arising therefrom in view of the compromise dated 22.11.2024 (Annexure P-3).
2. Learned counsel for the petitioners submits that initially there were three accused in the FIR (supra), however, one of the accused namely Jatinder Singh, had died on 21.10.2024 and his death certificate is placed on record as (Annexure P-4).
3. The following order was passed on 04.12.2024 by the Co-ordinate Bench:-

“The petitioners arraigned as accused in the FIR captioned below have come up before this Court under Section 528 BNSS to

quash the FIR and judgment of conviction dated 21.03.2022 passed by learned JMIC, Amritsar and all consequential proceedings based on the compromise amicably arrived at with the victim(s).

Counsel for the petitioners submits that the petitioners were convicted by the learned JMIC, Amritsar vide judgment dated 21.03.2022. After that, the matter has been compromised between the parties.

Notice served upon the official respondent through the State's counsel. In case the State wants to file its response, they must do so positively before the next date. Counsel appearing for the private respondent states on instructions that there is no objection if the FIR and all consequent proceedings mentioned in this petition are quashed.

Given above, the petitioners and the private respondent, and all other victim(s), if not arraigned as respondents, to appear before the concerned Trial Court/Illaqqa Magistrate/Duty Magistrate on or before 18.12.2024, for getting their statements recorded with regard to the compromise arrived at between them. Before recording their statements, the Ld. Judge should ensure the following aspects and send the report, in the following format, preferably before the next date fixed in this court:

<i>Name of the reporting Court</i>			
<i>FIR No.</i>	<i>Dated</i>	<i>Police Station</i>	<i>Sections</i>
335	13.09.2015	A-Division, District Amritsar	323 and 325 of IPC, 1860
<i>Criminal case No. before trial Court</i>			

1.	<i>Names of the complainant/victim(s)/aggrieved person(s)</i>	
2.	<i>Dates on which the statement(s) of the complainant/victim(s)/aggrieved person(s) were recorded</i>	
3.	<i>Has the identity of the complainant/victim(s)/aggrieved person(s) been verified?</i>	Yes/No
4.	<i>Whether all the victims/all the aggrieved persons have compromised the matter?</i>	Yes/No
5.	<i>Is there pressure, threat, or coercion upon the victim(s)/aggrieved person(s)/complainant?</i>	Yes/No
6.	<i>Names of the accused person(s)</i>	
7.	<i>Dates on which the statement(s) of the accused</i>	Yes/No

	<i>person(s) recorded</i>	
8.	<i>Whether all the accused have compromised the matter? If no, then the names of the accused who have compromised.</i>	<i>Yes/No</i>
9.	<i>Whether the Court is satisfied with the genuineness of the compromise?</i>	<i>Yes/No</i>

There would be no need for a certified copy of this order, and any Advocate for the Petitioners/State can download this order and other particulars as may be required, from the official web page of this Court, and attest it to be a true copy. The concerned court can also verify its authenticity and may download and use the downloaded copy for immediate use, if required.

List on 08.01.2025”

4. In compliance of the above order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and the same was arrived at without any pressure or coercion from anyone.

5. 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, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834*** 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.335 dated 13.09.2015 under Sections 323 and 325 of IPC, 1860, registered at Police Station A-Division, District Amritsar (Annexure P-1), judgment of conviction dated 21.03.2022 (Annexure P-2) and all subsequent proceedings arising out of the same are quashed qua the petitioners.

08.01.2025
Parveen kumar

(HARPREET SINGH BRAR)
JUDGE

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