



CRM-M-62177-2024 (O&M)

1

291

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARHCRM-M-62177-2024 (O&M)
Date of Decision: 03.02.2025

SITAL SINGH AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Damanpreet Singh, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Manthan Pathania, Advocate
for respondent No. 2.

Harpreet Singh Brar, J. (Oral)

1. Petitioners have filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 105 dated 26.07.2024, under Section 333, 303(2), 117(2), 115(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Ghuman, District Batala (Annexure P-1) and all subsequent proceedings arising thereof, on the basis of compromise dated 08.11.2024 (Annexure P-2).

2. The following order was passed on 12.12.2024:

“Petitioners Sital Singh, Rajwant Kaur and Gurwinder Singh have filed petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 105 dated 26.07.2024, under Section 333, 303(2), 117(2), 115(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Ghuman, District Batala (Annexure P-1) and all subsequent proceedings arising thereof, on the basis of compromise dated 08.11.2024 (Annexure P-2).

Notice of motion.



On the asking of this Court, Mr. Kewal Singh, Addl. AG, Punjab accepts notice on behalf of the State and prays for time to file status report. Learned counsel for the petitioners is directed to supply him a complete copy of the paperbook.

Mr. Manthan Pathania, Advocate appeared and filed Vakalatnama on behalf of respondent No. 2, which is taken on record.

Let statements of petitioners and respondent No. 2 be recorded with regard to compromise, on or before 20.01.2025 by learned Illaqa/Duty Magistrate concerned, as per convenience of said Court. In the event of their statements being recorded, the Court will send copies of same to this Court before the next date of hearing along with its report i.e.,

- 1. The number of accused in the aforesaid FIR and to report whether any of the accused has been declared proclaimed offender(s) or any such proceedings have been initiated or pending against him/them.*
- 2. Whether compromise entered between the parties is genuine, voluntary without any coercion or undue influence.*
- 3. Statement of IO regarding involvement of petitioners in any other FIR.*
- 4. Status of the trial pending before the Court.*

To await the report, list again on 03.02.2025. Status report be also filed by respondent – State by the adjourned date.”

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 466** and **Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court in



CRM-M-62177-2024 (O&M)

3

is allowed and FIR No. 105 dated 26.07.2024, under Section 333, 303(2), 117(2), 115(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Ghuman, District Batala (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

03.02.2025
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No