



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

CRM-M-5288-2025

Date of decision: 21.02.2025

AVTAR MASIH AND OTHERS

...PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

..RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

Mr. Utkrant Mahajan, Advocate for
Mr. Vishal Munjal, Advocate
for respondents No.2 to 4.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 528 of BNSS, 2023, petitioner seeks quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/affidavit effected between the parties dated 07.05.2024 (Annexure P-3) including the judgment of conviction and order of sentence dated 24.11.2023 (Annexure P-2), passed by learned Judicial Magistrate Ist Class, Gurdaspur. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
17	26.04.2018	325, 323, 148, 149 of IPC	Kahnuwan, District Gurdaspur, Punjab.

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise/affidavit dated 07.05.2024 (Annexure P-3), which is duly signed by them. The matter was

referred to the Court below for recording of statements of the parties and to



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report with respect to genuineness of the compromise arrived at between the parties. Learned Judicial Magistrate Ist Class, Gurdaspur, vide report dated 06.02.2025 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure. A copy of Receipt of costs of Rs. 35,000/- has been placed on record in compliance of the order dated 30.01.2025.

3. Learned counsel for respondents No.2 to 4 do not oppose the compromise having been effected between the parties.

4. In view of the report of the learned Judicial Magistrate Ist Class, Gurdaspur, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping the criminal proceedings pending, since the respondents have themselves compromised the dispute with the petitioner/ accused person.

5. In the circumstances, the present petition is allowed. FIR No. 17 dated 26.04.2018 under Sections 325, 323, 148, 149 of IPC, registered at Police Station Kahnuwan, District Gurdaspur, Punjab, and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

21.02.2025

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(SANJIV BERRY)
JUDGE