



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

(128)

CRM-M-60638-2025

DATE OF DECISION: 20.11.2025

Joga Singh

.....Petitioner

Versus

State of Punjab and Sukhvir Singh @ Suka

.....Respondents

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Ajiteshwar Singh, Advocate, for the petitioner.
Mr.Anup Singh, AAG, Punjab.
Ms. Shruti Sharma, Advocate, for respondent no.2.

SUBHAS MEHLA, J (ORAL)

1. Present petition has been filed by the petitioner under Section 528 of BNSS for quashing of order dated 11.11.2024, (Annexure P-5), passed by JMIC, Jalandhar, whereby the petitioner has been declared as a proclaimed person, on the basis of compromise effected between the parties.
2. Brief facts of the case are that on 11.07.2018, when complainant Sukhvir Singh @ Sukha had gone for a walk with his dog and reached near the house of petitioner, then petitioner alongwith co-accused Jaspreet Singh and Baldesh Kaur (son and wife of the petitioner) abused him in the presence of all the residents of the vicinity and stopped the complainant and threatened him to not to adduce his and his brother Rajvir Singh's evidence in the case of Raman Kumar s/o Baljinder Singh (in a pending case between Jasleen Kaur sister of the complainant and Raman Kumar). They pressurized the complainant to compromise the matter or to face dire consequences. On this, an application bearing No. BH.406-(A) dated 11.07.2018 was filed to the police but in vain. Again on 20.10.2018, when complainant was going



towards his fields, he saw petitioner along with his son and wife namely Jaspreet Singh and Baldesh Kaur were working in their fields and at about 10:30 AM, when the complainant reached into his fields, Baldesh Kaur raised a lalkara that "*Fad lao, aaj Sukhe nu jaan nahi dena, sade aukha aukha vekhan da mazza vikha dena hai isnu.*" Thereafter, the petitioner gave punch blow on the face of the complainant which hit his left eye and co-accused Jaspreet Singh hit the complainant from his Kara which hit the face of the complainant. Accused persons also gave kick and leg blows to the complainant. Meanwhile, brother of the complainant arrived there and took him to the hospital and hence, the complaint.

3. Learned counsel for the petitioner submitted that the parties are neighbours residing in the same vicinity and for the peace and harmony in society, dispute has already been compromised between them.

4. Notice of motion.

5. Mr.Anup Singh, AAG, Punjab, accepts notice on behalf of respondent No.1-State and Ms. Shruti Sharma, Advocate, has filed Power of Attorney on behalf of respondent no.2. The same is taken on record. Learned State counsel has submitted that the dispute between the parties is a complaint case regarding money dispute. Learned counsel for respondent no.2 has admitted the factum of compromise effected between the parties. In this matter, petitioner has been declared as proclaimed person vide impugned order dated 11.11.2024 (Annexure P-5) since offences are triable by Magistrate, complainant has no objection if the impugned order is set aside.

6. This Court has heard the contentions of learned counsel for the parties and is of the view that since dispute has already been amicably



settled between the parties and the offences are of not heinous in nature and are triable by Magistrate. The other co-accused are also facing difficulty in petition for quashing of FIR as the present petitioner/accused in such FIR has been declared proclaimed person as partial quashing of FIR is not allowed as per law. Taking the pragmatic approach, impugned order is set aside subject to condition that petitioner shall deposit Rs.3,00,000/- as costs in the account of Poor Patients Fund in PGIMER, Chandigarh.

7. In view of the above, the present petition is accordingly allowed subject to aforesaid condition of deposit of costs. Petitioner is directed to deposit the said costs within a period of one month from today and produce the receipt of costs before the trial Court, failing which this petition shall be deemed to be dismissed.

20.11.2025
mamta

(SUBHAS MEHLA)
JUDGE

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