



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

CRM-M-62388-2024
Date of decision: 06.02.2025

VIJAY SINGH

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. T.P.S. Makkar, Advocate for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Rakeshinder Singh Sidhu, Advocate for

Mr. Karanveer Singh, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 BNSS seeking quashing of FIR No.0156 dated 13.12.2019, under Sections 457, 380 and 511 of the IPC, 1860 registered at Police Station Khanauri, District Sangrur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 11.11.2024 (Annexure P-2).

2. The following order was passed on 12.12.2024 :-

“Through the instant petition, filed under Section 528 of the BNSS, 2023, a prayer is made for quashing of FIR No.0156 dated 13.12.2019, under Sections 457, 380 and 511 of the IPC, 1860 (Annexure P-1), registered at Police Station Khanauri, District Sangrur, and all subsequent proceedings emanating therefrom, on the basis of compromise deed dated 11.11.2024 (Annexure P-2).

Learned counsel for the petitioners submits that it is a complete compromise qua all the parties concerned.

Notice of motion.

Mr. Pardeep Bajaj, learned DAG, Punjab, waives service and accepts notice on behalf of the respondent-State of Punjab,



and submits that there is no other accused in the instant FIR, and has admitted the fact that the matter has been settled between all the parties concerned, and it is a complete compromise. Mr. Karanveer Singh, Advocate, records his appearance and duly executed power of attorney, on behalf of the respondent No.2, in Court today. The same is taken on the record. He accepts notice on behalf of the respondent No.2, and submitted that he has no objection, in case the FIR (supra), is quashed on the basis of compromise (supra). In view of above, the parties are directed to appear before the learned Illaqa Magistrate/trial Court concerned, within one month from today to get their respective statements recorded regarding the compromise and after recording their respective statements, the learned trial Court/Illaqa Magistrate concerned is directed to send the same alongwith its report, regarding the genuineness of compromise, on or before the next date of hearing in the present petition, specifically with regard to the following facts:-

- 1. Number of persons arrayed as accused in the FIR;*
- 2. Whether any accused is proclaimed offender;*
- 3. Stage of the trial/proceedings.*
- 4. Whether the compromise is genuine, voluntary, and without any coercion or undue influence and*
- 5. Total number of victims and their names.*

It is made clear that complainant/private respondent should also appear in person before the learned trial Court/Illaqa Magistrate concerned, to get his statement recorded regarding compromise.

To come up on 06.02.2025.

The State counsel is also directed to verify the factum of compromise by the date fixed.

A copy of this order be sent to the learned trial Court/Illaqa Magistrate for compliance.”

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 46*, 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.0156 dated 13.12.2019, under Sections 457, 380 and 511 of the IPC, 1860 registered at Police Station Khanauri, District Sangrur (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

February 06, 2025
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(HARPREET SINGH BRAR)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |