



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-62939-2024(O&M)
Date of Decision: 19.02.2025

ARJUN SAINI ALIAS ARJUN KUMAR AND ANRPetitioners
VERSUS
STATE OF PUNJAB AND ANOTHERRespondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rajesh Kapila, Advocate &
Mrs. Himani Kapila, Advocate for the petitioners.

Ms. Himani Arora, AAG, Punjab.

Ms. Ramandeep Kaur, Advocate for respondent no.2.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.221 dated 03.12.2023
under Sections 308, 323, 148, 149 of IPC registered at Police Station Dinanagar,
District Gurdaspur and all the subsequent proceedings arising therefrom, on the
basis of compromise dated 18.10.2024 (Annexure P-2).

2. It has been submitted by learned State counsel that during the course
of investigation, offence under Section 325 of IPC has been added on 09.01.2025.
At this stage, on oral request of learned counsel for the petitioners, the offence
under Section 325 of IPC is ordered to be added in the head note as well as prayer
clause of the petition. It is ordered so. Registry to do the needful.

3. This Court vide order dated 16.12.2024 had directed the parties to
appear before the trial Court to get their statements recorded and the learned
Magistrate was directed to send its report qua the genuineness of the compromise.



4. Pursuant to the aforesaid order, parties have appeared before the learned Judicial Magistrate First Class, Gurdaspur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 28.01.2025 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

5. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

6. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

7. Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and FIR No.221 dated 03.12.2023 under Sections 308, 323, 148, 149 of IPC, Section 325 added later on registered at Police Station Dinanagar, District Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise dated 18.10.2024 (Annexure P-2) are quashed qua the petitioners.

(MANISHA BATRA)
JUDGE

19.02.2025

Deepak Patwal

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No