



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

CRM-M-63386-2024 (O&M)

Date of Decision: 25.02.2025

AJAY KUMAR

...Petitioner

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rajan Garg, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

Mr. Amrit Paul Nahar, Advocate for
Mr. Harsh Thakur, Advocate for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No. 16 dated 25.01.2024 under Sections 379/506 of IPC, registered at Police Station Division No. 2 Pathankot along with all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. The following order was passed on 18.12.2024:

“On oral request of counsel for the petitioner, complainant- Amar Nath is ordered to be impleaded as party respondent No.2. Amended memorandum of parties be filed by 20.12.2024.

The petitioner arraigned as accused in the FIR captioned below has come up before this Court under Section 528 BNSS to quash the FIR and all consequential proceedings based on the compromise amicably arrived at with the victim(s).

Notices served upon the official respondent through the State's counsel. In case the State wants to file its response, they must do so positively before the next date. The counsel appearing for the private respondent(s) states on instructions that there is no objection if the FIR and all consequent proceedings mentioned in this petition are quashed.

Given above, the petitioner(s) and the private respondent(s), and all other victim(s), if not arraigned as respondents, to appear before the concerned Trial Court/Illaq Magistrate/Duty Magistrate on 17.01.2025 for getting their statements recorded about the compromise arrived at between them. Before recording their statements, the Ld. Judge should ensure the following aspects and send the copies of the statements and the report in the following format, preferably before the next date fixed in this court:

Name of the reporting Court	
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FIR No.	Dated	Police Station	Sections
16	25.01.2024	Division No. 2 Pathankot	379/506 IPC

1.	Names of the complainant/victims(s)/ aggrieved persons (s)	
2.	Dates on which the statement(s) of the complainant/ victims(s)/ aggrieved persons(s) were recorded	
3.	Has the identity of the complainant/ victims(s)/ aggrieved persons(s) been verified?	Yes/No
4.	Whether all the victims/ all the aggrieved persons have compromised the matter?	Yes/No
5.	Is there pressure, threat, or coercion upon the victim(s)/aggrieved person(s)/complainant?	Yes/No
6.	Names of the accused person(s)	
7.	Dates on which the statement(s) of the accused persons(s) recorded	
8.	Whether all the accused have compromised the matter? If no, then the names of the accused who have compromised.	Yes/No
9.	Whether proclamation proceedings are pending against any accused?	Yes/No
10.	Has the police report been filed or not?	Yes/No
11.	Notice of accusation /Charges have been framed or not?	Yes/No
12.	Sections of statutes invoked in the matter	
13.	Sections of statutes invoked in the matter	Yes/No



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There would be no need for a certified copy of this order, and any Advocate for the Petitioners/State can download this order and other particulars as may be required, from the official web page of this Court, and attest it to be a true copy. The concerned court can also verify its authenticity and may download and use the downloaded copy for immediate use, if required.

List on 03.02.2025.”

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 **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052**, this petition is allowed and FIR No. 16 dated 25.01.2024 under Sections 379/506 of IPC, registered at Police Station Division No. 2 Pathankot along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

25.02.2025
Ajay Goswami

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>