



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

CRM-M-64788-2024
Date of decision: 17.02.2025

SATISH KUMAR AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sanjeev Kumar Bawa, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Mukesh Kumar Bhatnagar, Advocate
for respondent Nos.2 and 3.

HARPREET SINGH BRAR, J. (ORAL)

1. Prayer in this petition filed under Section 528 of BNSS, 2023 is for quashing of FIR No.106 dated 22.10.2018 registered under Sections 420, 120-B IPC at Police Station Raja Sansi, District Amritsar (Annexure P-1) along with all the subsequent proceedings arising therefrom, on the basis of compromise dated 09.12.2024 (Annexure P-2).

2. The following order was passed on 20.12.2024 :-

“Prayer in this petition filed under Section 528 of BNSS, 2023 is for quashing of FIR No.106 dated 22.10.2018 registered under Sections 420, 120-B IPC at Police Station Raja Sansi, District Amritsar (Annexure P-1) along with all the subsequent proceedings arising therefrom, on the basis of compromise dated 09.12.2024 (Annexure P-2).

Notice of motion.



Upon advance notice, Mr. Gurpartap S. Bhullar, AAG Punjab accepts notice on behalf of respondent No.1/State and Mr. Mukesh Kumar Bhatnagar, Advocate has put in appearance on behalf of respondents No.2 and 3 and filed his Vakalatnama. He has admitted the factum of compromise and supports the prayer made in the petition.

The parties are directed to appear before the Illaqa Magistrate/trial Court and get their statements recorded with regard to the compromise on 10.01.2025. The Illaqa Magistrate/trial Court shall submit the report on or before the next date of hearing. The report be forwarded to this Court specifying the followings:-

- 1. The number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/P.O. in the case;*
- 2. The name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*
- 3. The stage of trial/proceedings;*
- 4. If the compromise is genuine, voluntary and out of free will of the parties.*
- 5. Whether any other criminal case is pending against the accused.*

Report of the Area Magistrate/Trial Court be awaited for 17.02.2025.”

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 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.106 dated 22.10.2018 registered under Sections 420, 120-B IPC at Police Station Raja Sansi, District Amritsar (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

February 17, 2025
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(HARPREET SINGH BRAR)
JUDGE

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