



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

**CRM-M-64068-2024
Date of decision: 17.02.2025**

RAJINDER SINGH

...PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. A.P.S. Sidhu, Advocate for
Mr. Surinder Garg, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Lalit Chander Sharma, Advocate
for respondent Nos.2 to 4.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.55 dated 28.08.2016 under Sections 279/337/338/427 IPC, registered at Police Station Joga, District Mansa (Annexure P-1) and judgment of conviction and order of sentence dated 02.03.2020 passed by learned Additional Chief Judicial Magistrate, Mansa (Annexure P-2) along with all subsequent proceedings arising therefrom on the basis of compromise dated 02.12.2024 (Annexure P-3).

2. The following order was passed on 19.12.2024 :-

“Petitioner has filed instant petition under Section 528 of BNSS, 2023 to permit petitioner to compound offence and for quashing of FIR No.55 dated 28.08.2016 under Sections 279/337/338/427 IPC, registered at Police Station Joga, District



Mansa (P-1) along with judgment of conviction and order of sentence dated 02.03.2020 passed by learned Additional Chief Judicial Magistrate (Annexure P-2) regarding which appeal is pending before learned ASJ, Mansa and all consequential proceedings, on the basis of compromise dated 02.12.2024 (P-3).

Notice of motion.

On asking of this Court, Mr. Kewal Singh, Addl. A.G. Punjab Haryana accepts notice on behalf of State and prays for time to file status report. Learned counsel for petitioners is directed to supply him a complete copy of the paperbook.

Mr. Lalit Chander Sharma, Advocate appeared and filed power of attorney on behalf of respondent Nos. 2 to 4, which is taken on record. He confirmed the aforesaid compromise.

Let statements of petitioner and respondent Nos.2 to 4 be recorded with regard to the compromise, on or before 23.01.2025 by learned Appellate Court concerned, where criminal appeal against the judgment of conviction dated 02.03.2020 is pending, as per the convenience of said Court. In the event of their statements being recorded,”

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, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834*** 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.55 dated 28.08.2016 under Sections 279/337/338/427 IPC, registered at Police Station Joga, District Mansa (Annexure P-1) and judgment of conviction and order of sentence dated 02.03.2020 passed by



learned Additional Chief Judicial Magistrate, Mansa (Annexure P-2) and all consequential proceedings arising out of the same are quashed/set aside, qua the petitioner.

February 17, 2025
manisha

(HARPREET SINGH BRAR)
JUDGE

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