



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

248 (1)

CRM-M-64796-2024

Date of Decision: 15.02.2025

SUKHWINDER SINGH AND ORS

...PETITIONERS

Versus

STATE OF PUNJAB AND ORS

... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE N. S. SHEKHAWAT

Present: Mr. Amandeep Singh, Advocate with
Mr. Monika Jangra, Advocate for
Mr. Pratula Sethi, Advocate
for the petitioners.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

Ms. Swati Verma, Advocate &
Mr. G.S. Simble, Advocate
for respondents No.2 & 3.

N. S. SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of cross case i.e. DDR No.22 dated 29.04.2013 registered under Sections 324, 323, 341, 34 IPC (Charges framed under Sections 326, 324, 323, 341, 34 IPC) in FIR No.24 dated 26.04.2013 under Sections 324, 323, 341, 34 of IPC (Section 326 of IPC added later on) registered at Police Station Kotli Surat Malli, Police District Batala, District Gurdaspur



(Annexure P-2) as well as judgment of conviction dated 11.07.2019 (Annexure P-3) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 08.12.2024 (Annexure P-4).

2. Vide order dated 20.12.2024, while issuing notice of motion, a co-ordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 08.12.2024 (Annexure P-4).

3. Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Batala and got their statements recorded. Report dated 10.01.2025 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and



Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052, the present petition for quashing the FIR is allowed qua the petitioners.

6. Resultantly, cross case i.e. DDR No.22 dated 29.04.2013 registered under Sections 324, 323, 341, 34 IPC (Charges framed under Sections 326, 324, 323, 341, 34 IPC) in FIR No.24 dated 26.04.2013 under Sections 324, 323, 341, 34 of IPC (Section 326 of IPC added later on) registered at Police Station Kotli Surat Malli, Police District Batala, District Gurdaspur (Annexure P-2) as well as judgment of conviction dated 11.07.2019 (Annexure P-3) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

15.02.2025
vipin

(N. S. SHEKHAWAT)
JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No