



CRM-M-64927-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARHCRM-M-64927-2024 (O&M)
Date of Decision: 25.02.2025

KIRPAL SINGH AND ANOTHER

...Petitioners

Versus

UT OF CHANDIGARH AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gagandeep Singh Simble, Advocate
for the petitioners.Mr. Manish Bansal, PP UT Chandigarh and
Mr. Rajiv Vij, Addl. PP UT Chandigarh.Mr. Himanshu Rajput, Advocate for
Ms. Prathula Sethi, Advocate, Advocate for respondent No. 2.

Harpreet Singh Brar, J. (Oral)

1. Through the instant petition, prayer is made for quashing of FIR No.256 dated 16.12.2024, under Sections 409, 420 IPC, registered at Police Station Sector 36, Chandigarh and all subsequent proceedings enumerating therefrom, on the basis of compromise dated 19.12.2024 (Annexure P-2).

2. The following order was passed on 20.12.2024:

“Through the instant petition, prayer is made for quashing of FIR No.256 dated 16.12.2024, under Sections 409, 420 IPC, registered at Police Station Sector 36, Chandigarh and all subsequent proceedings enumerating therefrom, on the basis of compromise dated 19.12.2024 (Annexure P-2).

Notice of motion.

Mr. Manish Bansal, PP, U.T., Chandigarh waives service on behalf of the respondent-State whereas, Mr. Mandeep S. Kaler has filed power of attorney on behalf of respondent No.2 and has submitted that he has no objection in case the FIR (supra) is quashed on the basis of compromise (Supra).

In view of above, the parties are directed to appear before the learned Illaqa Magistrate/trial Court concerned



within one month from today to get their respective statements recorded regarding the compromise and after recording their respective statements, the learned trial Court/Illaq Magistrate concerned is directed to send the same alongwith its report, regarding the genuineness of compromise, on or before the next date of hearing in the present petition, specifically with regard to the following facts:-

- 1. Number of persons arrayed as accused in the FIR;*
- 2. Whether any accused is proclaimed offender;*
- 3. Stage of the trial/proceedings.*
- 4. Whether the compromise is genuine, voluntary, and without any coercion or undue influence and*
- 5. Total number of victims and their names.*

It is made clear that complainant/private respondent should also appear in person before the learned trial Court/Illaq Magistrate concerned to get his statement recorded regarding compromise.

To come up on 18.02.2025.

The State counsel is also directed to verify the factum of compromise by the date fixed.

A copy of this order be sent to the learned trial Court/Illaq Magistrate for compliance.”

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 (CrI.) 1052**, this petition is allowed and FIR No. 256 dated 16.12.2024, under Sections 409, 420 IPC,

registered at Police Station Sector-36, Chandigarh along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

25.02.2025
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No