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231 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-868-2025 (O&M)
Date of Decision: 14.02.2025

NARENDER AND OTHERS

...Petitioners

V/S

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rishav Jain, Advocate
for the petitioners.

Mr. Harkesh Kumar, AAG Haryana

Mr. Kanish Jindal, Advocate
for respondents No. 2 and 3.

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.508 dated
26.10.2022 under Sections 148/149/307/323/506 of IPC and Sections
25/54/59 Arms Act, 1959 registered at Police Station Hodal, District Palwal
(Annexure P-1) along with all subsequent proceedings arising therefrom on
the basis of compromise dated 13.12.2024 (Annexure P-2) and on the basis
of affidavits dated 13.12.2024 (Annexure P-3).

2. The following order was passed on 13.01.2025:

*“This petition has been filed under Section
528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking
quashing of FIR No.508 dated 26.10.2022 under Sections
148/149/307/323/506 of IPC and Sections 25/54/59 Arms
Act, 1959 registered at Police Station Hodal, District
Palwal (Annexure P-1) along with all subsequent
proceedings arising therefrom on the basis of compromise*



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dated 13.12.2024 (Annexure P-2) and on the basis of affidavits dated 13.12.2024 (Annexure P-3).

Notice of motion for 14.02.2025.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Ms. Shivaly Singla, Advocate accepts notice for respondents No.2 & 3 and files her vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax 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. Learned counsel for the petitioners submits that it is a case of no injury and the factual ingredients for invoking the provisions of Section 307 of Indian Penal Code, *prima facie* are not attracted. As such, there is no embargo in quashing the FIR(supra) on the basis of compromise in view of



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ratio of law laid down by Hon'ble Supreme Court in *The State of Madhya Pradesh Vs. Laxmi Narayan and others*' 2019 (5) SCC 688.

5. Learned State counsel on instructions from ASI Sanjay submits that till today, challan has been presented against five accused persons, who are arrayed as petitioners in the present petition and challan is yet to be presented against remaining three accused persons.

6. 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.508 dated 26.10.2022 under Sections 148/149/307/323/506 of IPC and Sections 25/54/59 Arms Act, 1959 registered at Police Station Hodal, District Palwal (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners only.

(HARPREET SINGH BRAR)
JUDGE

14.02.2025
Ajay Goswami

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