



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M No.459 of 2025 (O&M)
Date of decision: 24.03.2025

Gurmail Singh
.....Petitioner

Versus

State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. G.S. Jossan, Advocate
for Mr. Sarbjit Singh Grewal, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

Mr. Gagan, Advocate
for respondents No.2 and 3.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure (in short 'Cr.P.C.') (now Section 528 of BNSS) seeking quashing of FIR No.80 dated 29.04.2024 registered under Sections 279, 337, 427 IPC at Police Station City Rajpura, District Patiala, and all other subsequent proceedings arising therefrom in view of the compromise/affidavit dated 18.12.2024 (Annexures P-2 and P-3, respectively).
2. The following order was passed on 10.01.2025:-
- “XX XX XX XX
- Contends, inter alia, that matter has been compromised between the parties, i.e. petitioner as well as respondent Nos.2 & 3.*

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- (2) Notice of motion.*
- (3) Mr. Kunwarbir Singh, learned AAG, Punjab, accepts notice on behalf of respondent No.1-State.*
- (4) Mr. Dhiraj Jindal, Advocate, causes representation on behalf of respondent Nos.2 & 3 and acknowledged the factum of compromise between the parties, i.e. petitioner as well as respondent Nos.2 & 3.*
- (5) Requisite number of copies of the petition be supplied to learned Counsel for the respondents during the course of day.*
- (6) Petitioner shall file his affidavit that there is no other criminal case(s) pending against him and also give the details of any other FIR(s), already quashed on the basis of compromise.*
- (7) In view of the above, let parties appear before the Court of learned Illaqa Magistrate/trial Court on or before 28.01.2025 for recording their statement(s) with reference to the compromise, if any, entered into between them.*
- (8) Learned Illaqa Magistrate/trial Court shall record the statement(s) of all accused, complainant/injured and victim, if any, and submit a report to this Court before the next date of hearing containing the following information:-*
 - (i) Whether the statements of the parties are bona fide and not result of any pressure or coercion etc. in any manner?*
 - (ii) Whether the compromise effected between the parties is genuine and valid?*
 - (iii) Whether all the accused, complainant and injured are party to the compromise and if not, the details/particulars of such person(s)?*
 - (iv) Whether any other case is pending against either of the parties or not, if yes, the details thereof?*
 - (v) Whether any of the persons involved in this case/dispute has been declared a proclaimed offender?*

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(vi) Whether any of the petitioner(s) is/are previous convict or not?

(9) List before this Court on 19.02.2025, for further consideration.

(10) Meanwhile, learned State Counsel shall also get the instructions in the matter as to whether the State has any objection?

(11) Copy of this order be sent to learned Judicial Officer concerned forthwith for information and strict 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 (Crl.) 1052***, this petition is allowed and FIR No.80 dated 29.04.2024 registered under Sections 279, 337, 427 IPC at Police Station City Rajpura, District Patiala and all other subsequent proceedings arising out of the same are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

24.03.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No