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

CRM-M-64314-2025

Date of decision :27.04.2026

SUNIL KUMAR AND ORS.**...Petitioner(s)****Versus****STATE OF PUNJAB AND OTHERS****...Respondent(s)****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. VPS Mithewal, Advocate for the petitioners.

Mr. Athar Ahmed, DAG, Punjab.

Mr. Gaurav Singla, Advocate for respondent No.2.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of GD No.26 dated 22.10.2025 (Annexure P-2) under Sections 333/115(2)/351(2)/191(3) and 190 of BNS, 2023 registered at Police Station Patran, District Patiala arising out of FIR No.237 dated 21.10.2025 under Sections 115(2)/109/351(2)/3(5) of BNS, 2023 registered at Police Station Patran, District Patiala along with all consequential proceedings arising therefrom on the basis of a compromise arrived at between the parties.

Vide order dated 17.11.2025, this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 27.10.2025 (P-3).

The Illaqa Magistrate/trial Court was to submit a report in this aforesaid regard giving certain details as enumerated in the said order.



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Pursuant to the order dated 17.11.2025 passed by this Court, the parties have appeared before the learned Judicial Magistrate, 1st Class, Samana and as per the report dated 08.04.2026 submitted to this Court, both the parties have got recorded their respective statements in Court.

A perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence. In view of the compromise there is a remote possibility of the complainant coming forward to support the prosecution case. The powers under Section 482 Cr.PC can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in **“Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543”**.

In the present case, there was an injury caused by a *gandasa* which was declared as dangerous to life. An injury which has been “declared dangerous to life” is in fact an injury which is “endangering life” and therefore would be punishable under Section 326 IPC. Therefore, in the present case if a conviction was to be recorded, in all probability it would be one under Section 326 IPC and not under Section 307 IPC. It has been so held in ***Atma Singh Vs. The State of Punjab***



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1980 PLR 719, Mohinder Singh & Ors. Vs. State of Punjab 2012(4) RCR (Criminal) 214, Narender Singh Vs. State of Haryana & Ors. 2020(3) RCR (Criminal) 66, Mehmood Akhtar Vs. State of Punjab 2014(16) RCR (Criminal) 43 & Pritam Singh & Anr. Vs. State of Punjab Crl. Appeal No.1126-SB-1999 Decided on 25.02.2010.

In such a situation to put quietus to the incident between the parties it would in the interest of justice to quash the proceedings on the basis of the compromise.

In view of the aforesaid report of the learned Judicial Magistrate, 1st Class, Samana accompanied by statements of both the parties, the GD No.26 dated 22.10.2025 (Annexure P-2) under Sections 333/115(2)/351(2)/191(3) and 190 of BNS, 2023 registered at Police Station Patran, District Patiala arising out of FIR No.237 dated 21.10.2025 under Sections 115(2)/109/351(2)/3(5) of BNS, 2023 registered at Police Station Patran, District Patiala along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

27.04.2026

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