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

CRM-M-72645-2025

Date of decision :20.03.2023

SHIMLA DEVI AND OTHERS

... Petitioner(s)

Versus**STATE OF HARYANA AND OTHERS**

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rajinder Pratap Singh Jammu, Advocate
for the petitioners.

Ms. Geeta Rani, AAG, Haryana.

Mr. Santosh Kumar Yadav, Advocate
for respondent Nos.2 to 4.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of an FIR No.383 dated 30.05.2024 (Annexure P-1) registered under Sections 323, 325, 506, 307 and 34 IPC at Police Station City Sirsa, District Sirsa along with all consequential proceedings arising therefrom on the basis of a compromise arrived at between the parties.

Vide order dated 22.12.2025, this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 02.12.2025 (Annexures P-2 to P-4).

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

Pursuant to the order dated 22.12.2025 passed by this Court, the parties have appeared before the learned Additional District and

Sessions Judge, Sirsa and as per the report dated 21.01.2026 submitted



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to this Court, both the parties have got recorded their respective statements in Court.

It is pertinent to mention here that Petitioner No.2-Sajan Kumar was inadvertently arrayed as a party, though he is not an accused in the present case.

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, undoubtedly, the FIR has been registered under Section 307 IPC and therefore, the question would be as to whether the FIR could be quashed.

The Hon'ble Supreme Court in ***Narinder Singh and Others vs State of Punjab and Another, 2014 (2) RCR (Criminal) 482***, and ***State of Madhya Pradesh vs Laxmi Narayan and Others, 2019(2) RCR (Criminal) 255***, have categorized those cases where quashing on the

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basis of compromise was permitted and those in which, it was not permitted. It was further observed that the Court concerned may look into the medical evidence and examine the same to see as to whether the conviction under Section 307 of the IPC was possible or not.

Thus, mere registration of an FIR under Section 307 did not foreclose the right of the petitioner/accused to effect a compromise and get the FIR quashed.

In the present case, as per the opinion of the doctor of Civil Hospital, Sirsa, there was an injury on the head (swelling present in left side of scalp in parieto Temporal Region) 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* 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.

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In view of the aforesaid report of the learned Judicial Magistrate, 1st Class, Ludhiana accompanied by statements of both the parties, the FIR No.383 dated 30.05.2024 (Annexure P-1) registered under Sections 323, 325, 506, 307 and 34 IPC at Police Station City Sirsa, District Sirsa along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

20.03.2026

Kusum

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