

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

276

CRM-M-36702-2024 (O&M)

Date of decision: 24.02.2025

Abhishek Kumar and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Munish Puri, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Amrit Paul Nahar, Advocate
for respondent No.2.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 528 of BNSS, 2023, seeking quashing of FIR No.40 dated 05.04.2024 under Sections 323, 325 and 34 IPC registered at Police Station Sadar Pathankot, District Pathankot, and all subsequent proceedings arising therefrom in view of the compromise dated 06.06.2024.

2. The following order was passed on 01.08.2024:-

“XX XX XX XX

Notice of motion.

On asking of this Court, Mr. Kewal Singh, Addl. A.G. Punjab accepts notice on behalf of State and prays for time to file status report. Learned counsel for petitioners is directed to supply him a complete copy of the paperbook.



Mr. Amrit Paul Nahar, Advocate appeared and filed power of attorney on behalf of respondent No. 2, which is taken on record.

Let statements of petitioners and respondent No.2 be recorded with regard to the compromise, on or before 24.09.2024 by learned Illaqa/Duty Magistrate concerned, as per the convenience of said Court. In the event of their statements being recorded, the Court will send copies of the same to this Court before the next date of hearing along with its report i.e.

1. The number of accused in aforesaid FIR and to report whether any of the accused has been declared proclaimed offender(s) or any such proceedings have been initiated or pending against him.

2. Whether the compromise entered between the parties is genuine, voluntary without any coercion or undue influence.

3. Statement of IO regarding involvement of petitioners in any other FIR.

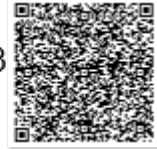
4. Status of the trial pending before the Court.

To await the report, list again on 14.10.2024.

Status report be also filed by respondent – State by adjourned date.”

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.40 dated 05.04.2024 under Sections 323, 325 and 34 IPC registered at Police Station Sadar Pathankot, District Pathankot and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

24.02.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No