



277 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-30842-2024 (O&M)
Date of Decision: 20.03.2025

DHANBIR SINGH AND OTHERS

...Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Prabha, Advocate for
Mr. Amit Arora, Advocate for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Jagjeet Singh, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. The present petition has been filed seeking quashing of FIR No.32, dated 03.04.2021, under Sections 307, 336, 506, 148 and 149 of the IPC, and under Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Jhabal, District Tarn Taran, and all the other consequential proceedings arising therefrom, on the basis of compromise dated 25.05.2024 (Annexure P-2).

2. The following order was passed on 19.02.2025:

“Learned counsel for the petitioners, inter alia, contends that the perusal of the case set up by the prosecution clearly indicates that the at the most the offence under Section 336 IPC is made out and admittedly, it is a case of no injury and prima facie assessment of the factual matrix clearly indicates that the offence under Section 307 IPC is not made out and reliance in this regard is placed upon the judgment passed in “State of Madhya Pradesh vs Laxmi Narayan and others”, 2019(5) SCC 688, to submit that once the prima facie offence under Section 307 of IPC is not made out, there is no embargo for quashing of FIR on the basis of compromise.

Adjourned to 20.03.2025.



CRM-M-30842-2024 (O&M)

-2-

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 i.e. 20.03.2025.

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. 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.32, dated 03.04.2021, under Sections 307, 336, 506, 148 and 149 of the IPC, and under Section 25 and 27 of the Arms Act, 1959, registered at Police Station Jhabal, District Tarn Taran along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

20.03.2025
Ajay Goswami

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>