

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2025:PHHC:091259



310

CRM-M-25533-2025 (O&M)

Date of Decision: 23.07.2025.

Rohit Kumar

....Petitioner.

Versus

State of Punjab and another

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. S.K. Choudhary, Advocate for the petitioner.

Mr. Ravneet Singh Lekhi, AAG, Punjab.

Mr. G.S. Bhinder, Advocate for respondent No.2.

SUKHVINDER KAUR, J. (Oral)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.26 dated 20.03.2025 under Section 318(4) of BNS (Section 24 of Immigration Act was added later on vide GD No.24 dated 18.04.2025), registered at Police Station Sadar Pathankot and all the subsequent proceedings arising therefrom, on the basis of compromise dated 23.04.2025 (Annexure P-2).

2. This Court vide order dated 12.05.2025 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before the learned Judicial Magistrate Ist Class, Pathankot and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 10.06.2025 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Learned State counsel as well as counsel for respondents No.2 have not disputed the factum of compromise between the parties.

5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

6. Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and FIR No.26 dated 20.03.2025 under Section 318(4) of BNS (Section 24 of Immigration Act was added later on vide GD No.24 dated 18.04.2025), registered at Police Station Sadar Pathankot and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 23.04.2025 (Annexure P-2) are quashed qua the petitioner.

(SUKHVINDER KAUR)
JUDGE

23.07.2025

Komal

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