



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

**CRM-M-61318-2024 (O&M)**

**Reserved on: 11.08.2025**

**Pronounced on: 12.08.2025**

**Prem Kumar and others**

**.....Petitioners**

**Versus**

**State of Punjab and others**

**.....Respondents**

**CORAM : HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present:     Mr. RBS Mann, Advocate  
                  for the petitioners.

                  Mr. Karandeep Sharma, AAG, Punjab.

                  Mr. Raunaq Singh Aulakh, Advocate  
                  for respondent Nos.2 and 3.

\*\*\*\*\*

**SHALINI SINGH NAGPAL, J. (Oral)**

In this petition under Section 528, Bharatiya Nagarik Suraksha Sanhita (B.N.S.S.) 2023, the prayer is for quashing FIR No.109 dated 11.11.2024 (Annexure P-1) under Sections 74, 115(2) and 190 of Bharatiya Nyaya Sanhita, 2023, registered in Police Station Bahawala, District Fazilka, Punjab and all consequential proceedings arising therefrom, on the basis of compromise dated 20.11.2024 (Annexure P-2) effected between the parties.

2.                On 09.12.2024, this Court directed the parties to appear before the trial Court/Illaqa Magistrate for recording of their statements with regard to compromise dated 20.11.2024 on 24.12.2024 or any other date convenient.

3.                In compliance of the aforesaid order, parties appeared before learned Judicial Magistrate Ist Class, Abohar on 14.01.2025. Statement of



the Investigating Officer, HC Sikanderpal Singh was also recorded. Learned Judicial Magistrate Ist Class, Abohar has submitted his report recording satisfaction that all the parties have entered into a valid compromise without any influence or coercion. Point-wise report as under has been submitted:

1. *It is submitted that as per statement of Investigating Officer, total seven accused persons out of which four persons by name arrayed as accused in the FIR.*
2. *It is further submitted that as per statement of Investigating Officer, none of the accused declared proclaimed offender in the present FIR.*
3. *It is submitted that in view of the statements got recorded by both the parties, this Court is satisfied that the compromise effected between them is genuine, voluntary and without any coercion or undue influence.*
4. *It is further submitted that as per statement of Investigating officer, none of the accused persons are involved in any other FIR.*
5. *It is further submitted that as per statement of Investigating Officer, there is a one complainant/victim namely Davinder Kaur and one another victim/injured named Sunita Rani in the present case and except the above said, there is no other complainant/victim in the present case and both the above said complainant/victims and four accused are party to the compromise in question.*

4. Learned State counsel and counsel for respondent Nos.2 and 3 have not raised any dispute regarding the factum of compromise.

5. The incident in the present case has its genesis in a dispute relating to harvesting of paddy crop in the land under co-ownership of the parties. The assault took place when the petitioners tried to prevent



the respondents from harvesting the crop. The offence does not affect the society at large. The parties are co-owners and acceptance of compromise will end the hostility between them permanently. It is a fit case to exercise inherent power to quash the FIR and all consequential proceeding arising therefrom.

6. Following the principles of law laid down by the Full Bench Judgment of this Court in ***“Kulwinder Singh and others Vs. State of Punjab and another” 2007(3) RCR (Criminal) 1052*** and Hon’ble Supreme Court in ***“Gian Singh Versus State of Punjab and others” (2012) 10 SCC 303***, the petition is allowed.

7. FIR No.109 dated 11.11.2024 (Annexure P-1) registered under Sections 74, 115(2) and 190 of Bharatiya Nyaya Sanhita, 2023, registered in Police Station Bahawala, District Fazilka, Punjab along with all the subsequent proceedings arising therefrom, is quashed qua the petitioners.

**(SHALINI SINGH NAGPAL)**  
**JUDGE**

**12.08.2025**

neeraj

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No