



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

327

CRM-M-17503-2025
Decided on : 19.05.2025

Jaswinder Singh . . . Petitioner(s)

Versus

State of Punjab and others . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. I.S. Ratta, Advocate, for the petitioner(s).

Mr. Jasdeep Singh, DAG, Punjab.

None for respondent No.2(iii)/5.

SANJAY VASHISTH, J. (Oral)

1. In the present compromise quashing petition, on 01.04.2025, following order was passed:-

"1. Instant petition has been filed under Section 528 of the BNSS, 2023 (earlier Section 482 Cr.P.C.), seeking quashing of the below detailed First Information Report (FIR), and all the consequential proceedings arising therefrom, on the basis of the settlement-deed dated 17.12.2012 (Annexure P-2), effected between the parties.

DETAIL OF CRIMINAL CASE:

<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
43	11.04.2012	420, 465, 467, 471 of IPC	Dasuya	Hoshiarpur

Further, details of petitioner(s)/accused and complainant/victim(s), as per memorandum of parties of present petition, is as under:-

<i>Sr. No.</i>	<i>Name(s)</i>	<i>Status in present petition viz. Petitioner/accused OR Complainant/victim – respondent No.</i>
1.	<i>Jaswinder Singh</i>	<i>Petitioner</i>
2.	<i>Shingara Singh (since deceased) through LRs, namely; Rajinder Kaur Teer, Chander Preet Kaur, and Shalinder Preet Kaur</i>	<i>Respondents No.2 to 5 (Complainant/Victim)</i>

2. *At the outset, learned counsel for the petitioner submits that out of total three legal representatives of deceased respondent No.2 – Shingara Singh @ Shingara Singh Teer, statements of two legal representatives have been recorded, and one of the legal representative i.e. Shalinder Preet Kaur, is yet to be recorded.*

Further submits that said Shalinder Preet Kaur (legal representative of respondent No.2 and respondent No.5 in the present petition), has gone abroad, therefore, she be allowed to record her



statement through Video Conferencing (V.C.).

Besides, learned counsel for the petitioners submits that all the parties to the dispute i.e. accused/petitioner(s) and complainant(s)/victim(s), already arrayed as parties in the present petition, have amicably resolved their dispute through settlement-deed dated 17.12.2012 (Annexure P-2). Therefore, if proceedings arising from the aforementioned FIR, and all the consequential proceedings arising therefrom, are quashed, all the parties and their family members will be able to live their lives peacefully.

3. Notice of motion.

4. On asking of the Court, Mr. Amandeep Singh, DAG, Punjab, who is present in the Court, accepts notice on behalf of respondent No.1 – State.

5. Mr. Rajwinder S. Jolly, Advocate, appears on behalf of respondents No.2(iii)/5 and admits execution of the settlement-deed (Annexure P-2). Memo of appearance filed by learned counsel is taken on record.

6. The affected parties are directed to appear before the learned Trial Court/Illaq Magistrate, on or before **21.04.2025** or on any other date convenient to said Court, for getting their respective statements recorded with regard to the compromise. Thereupon, the concerned Court shall submit a detailed report, containing the information on the following points, along with copies of the statements to this Court, on or before the adjourned date:-

Sr. No.	Information required
I.	Total number of persons found involved as accused in the dispute/FIR
II.	Number of complainant/victim(s)
III.	Whether all the accused and complainant / victims are party to compromise & signed the same
IV.	In case, any affected person (accused or complainant) is left out or not arrayed as party in the quashing petition before High Court, detail whereof; OR His/her statement is still to be recorded, in compliance to the direction of this Court, details of such person
V.	Whether any accused has been declared as a proclaimed offender/person or any such proceedings against him/her have been initiated or pending adjudication
VI.	Report of the Court whether compromise is genuine, voluntary, and without any coercion or undue influence
VII.	Any other aspect relevant to the present case.

7. So far as, the question of recording of statement of respondent No.2(iii)/5 – Shalinder Preet Kaur, is concerned, she is directed to get her statement recorded qua the factum of compromise in the following manner :-

- i. Petitioner's counsel shall move an application before the trial Court/Illaq Magistrate concerned for recording statement of the petitioner qua the factum of compromise through Video Conferencing. As and when any such application is moved and put up before the trial Court/Illaq Magistrate, the trial Court/Illaq Magistrate shall consider the said application and do the needful for recording the statements of the parties qua the factum of the compromise through Video Conferencing.
- ii. At the time of recording of the statements by way of video conferencing, the petitioner shall be duly identified by her respective counsel, subject to the satisfaction of the Presiding Officer.



8. *To come up on 19.05.2025, awaiting report.*
9. *Reply by the respondent-State, if any, be filed on or before the next date of hearing.”*

2. Learned State counsel has filed the short reply dated 18.05.2025, by way of affidavit of Balwinder Singh, PPS, DSP, Sub Division Dasuya, District Hoshiarpur, on behalf of the respondent – State, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

3. As per the report dated 13.05.2025, received from the Ld. JMIC, Dasuya, the statements of the respondent(s)/complainant(s) were not got recorded, despite granting various opportunities, such as on 19.04.2025, 25.04.2025, and 05.05.2025.

4. In view of the above, it appears that, at this stage, no settlement has been arrived at between all the parties involved in the case. Accordingly, present petition seeking quashing on the basis of compromise, is **dismissed**, at this stage. However, it is observed that in the event the parties enter into a fresh compromise in the future, petitioner shall be at liberty to file a fresh petition on the same cause of action, by impleading all the necessary parties.

5. The petition is accordingly disposed of in the above terms.

(SANJAY VASHISTH)
JUDGE

May 19, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No