



CRM-M-4442-2025(O&M)

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

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**CRM-M-4442-2025(O&M)
Date of Decision: 02.04.2025**

Gurjit Singh & ors.

..... Petitioners

VERSUS

State of Punjab & anr.

.... Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Yajur Sharma, Advocate,
for the petitioners.

Mr. Yuvraj Singh Tiwana, AAG, Punjab.

Mr. Akun Sheemar, Advocate
for respondent No.2.

NAMIT KUMAR, J. (ORAL)

1. The present petition has been filed by the petitioners under Section 528 of Bhartiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.68 dated 21.05.2012, registered under Sections 498-A of IPC at Police Station Ajnala, District Amritsar Rural (Annexure P-1) as well as a complaint bearing COMI No.100/2014 titled as 'Sukhjinder Kaur Vs. Gurjit Singh and others' (Annexure P-2) on the basis of compromise dated 26.11.2024 (Annexure P-5) arrived at between the parties.

2. Vide order dated 28.01.2025, parties were directed to appear before the Illaqa Magistrate/trial Court for recording their statements qua compromise on 17.02.2025.

3. In pursuance to the said order, report dated 21.02.2025 has been



received from the Court of learned Judicial Magistrate Ist Class, Ajnala, wherein it has been mentioned as under:-

“(i) There is only 01 person i.e. Gurjit Singh, S / O Hardev Singh, arrayed as accused in the FIR and there are 09 persons i.e. Gurjit Singh, s/o, Hardev Singh, Manjeet Kaur, w/o, Hardev Singh, Hardev Singh, s/o Gurnam Singh, Ramandeep Kaur, c/o Sukhwinder Singh, Mandeep Singh, s/o Hardev Singh, Jasbir Kaur, w/o, Gurjit Singh, Harpreet Singh, s/o, Bahadar Singh, Gurmukh Singh, s/o Kunan Singh and Gursewak Singh, s/o Manga Singh, arrayed as accused in the complaint bearing COMI No. 100/2014 titled as Sukhjinder Kaur vs. Gurjit Singh & Ors.’

ii) As per the statement of IO, no accused has been declared proclaimed offender.

(iii) From the statement(s) suffered by the complainant, accused, and IO, it appears that the compromise effected between the parties, is genuine, voluntary and without any coercion or undue influence.

(iv) As per the statement of IO, no accused has been involved in any other FIR.

(v) As per the statement of IO, there is only one victim/complainant namely Sukhjinder Kaur, d/o, Balwant Singh in the present FIR.”

4. Learned State counsel, on instructions from Inspector Mukhtiar Singh, submits that out of total 9 accused persons, two persons namely Gursewak s/o Manga & Harpreet s/o Bahadur Singh were declared proclaimed offenders and one accused namely Gurmukh s/o Kannan Singh has died. He submits that two accused are not petitioners in the present petition and in view of the law laid down by the Division Bench of this Court



in Rakesh Das Vs. State of Haryana: 2024(4), Law Herald, 1141, the petition seeking quashing of FIR on the basis of partial compromise is not maintainable.

5. Faced with this situation, learned counsel for the petitioners wishes to withdraw the present petition with liberty to file fresh one on the same cause of action at an appropriate stage on behalf of all the accused persons.

6. Dismissed as withdrawn with the aforesaid liberty.

02.04.2025

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(NAMIT KUMAR)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No