



CRM-M-2607-2025 (O&M)

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

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**CRM-M-2607-2025 (O&M)  
Date of decision: 22.05.2025**

**Balwinder Singh**

**...Petitioners**

**Versus**

**State of Punjab and others**

**...Respondents**

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Anutej Singh, Advocate  
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Ms. Rajni Bala Rohilla, Advocate  
for respondents No. 2 and 3.

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**MANISHA BATRA, J ( Oral)**

1. Prayer in this petition, filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for quashing of FIR No. 79 dated 19.06.2024, registered under Sections 353, 186, 341, 506 and 427 of IPC at Police Station Barnala, District Barnala and all subsequent proceedings arising therefrom on the basis of compromise dated 09.12.2024 (Annexure P-2).

2. This Court vide order dated 20.01.2025 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, the parties have appeared before learned Judicial Magistrate First Class, Barnala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted a report dated 18.02.2025 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Learned counsel for respondents No. 2 and 3 has not disputed the factum of compromise between the parties and has submitted that they have no objection if the present petition is allowed and the impugned FIR is quashed in favour of the petitioner.

5. On the other hands, though learned State counsel has not disputed the factum of compromise between the parties but has raised an objection that since the petitioner is a public servant, the FIR cannot be quashed qua him on the basis of the said compromise.

6. In reply, learned counsel for the petitioner has relied upon the authority cited as ***Vinod @ Boda and others vs. State of Haryana and another, 2017 (1) RCR (Criminal) 571***, wherein it was held by a Division Bench of this Court that the High Court can quash criminal proceedings in the peculiar facts of the case even where offence is against a public servant.

7. Considering the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR. Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder***

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*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* and also in view of the ratio of law as laid down in *Vinod @ Boda's* case (supra), this petition is allowed and FIR No. 79 dated 19.06.2024, registered under Sections 353, 186, 341, 506 and 427 of IPC at Police Station Barnala, District Barnala and all subsequent proceedings arising therefrom on the basis of compromise dated 09.12.2024 (Annexure P-2) are quashed qua the petitioner.

**[MANISHA BATRA]**  
**JUDGE**

**22.05.2025**

*Waseem Ansari*

1. *Whether speaking/ reasoned* : Yes / No  
2. *Whether reportable* : Yes / No