



CRM-M-47389-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-47389-2024 (O&M)

Date of Decision: 30.01.2025

VANSH @ VANSHESH AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Tarun Gautam, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Aashish Bhagat, Advocate
for respondent No. 2.

Harpreet Singh Brar, J. (Oral)

1. Prayer in this petition filed under Section 528 of BNSS, Act 2023 is for quashing of FIR No.159 dated 17.08.2024 under Sections 115(2), 126(2), 351(2), 351(3) and 3(5) of BNS registered at Police Station City Rajpura, District Patiala (Annexure P-1) along with all the subsequent proceedings arising therefrom, on the basis of compromise dated 30.08.2024 (Annexure P-2).

2. The following order was passed on 23.09.2024:

“Prayer in this petition filed under Section 528 of BNSS, Act 2023 is for quashing of FIR No.159 dated 17.08.2024 under Sections 115(2), 126(2), 351(2), 351(3) and 3(5) of BNS registered at Police Station City Rajpura, District Patiala (Annexure P-1) along with all the subsequent proceedings arising therefrom, on the basis of compromise dated 30.08.2024 (Annexure P-2).

2. *Notice of motion.*



3. *Upon advance notice, Mr. Gurpartap Singh Bhullar, AAG, Punjab accepts notice on behalf of respondent No.1/State and Mr. Aashish Bhagat, Advocate puts in appearance on behalf of respondent No.2 and files his Vakalatnama in Court, which is taken on record.*

4. *In view of the above, the parties are directed to appear before the Illaqa Magistrate/trial Court on 01.10.2024 or any other date convenient to the Court concerned, for getting their statements recorded with regard to the compromise. The Illaqa Magistrate/trial Court shall submit the report on or before the next date of hearing. The report be forwarded to this Court specifying the followings:-*

1. the number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/P.O. in the case;

2 the name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;

3. the stage of trial/proceedings;

4. If the compromise is genuine, voluntary and out of free will of the parties.

5. *Report of the Illaqa Magistrate/Trial Court be awaited for 22.10.2024.”*

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

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4. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466** and **Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (CrI.) 1052**, this petition is allowed and FIR No.159 dated 17.08.2024 under Sections 115(2), 126(2), 351(2), 351(3) and 3(5) of BNS registered at Police Station City Rajpura, District Patiala (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

30.01.2025*Ajay Goswami*

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>