



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

297

CRM-M-4595-2025(O&M)
Date of Decision: 17.03.2025

SHUBHAM ALIAS KALU AND OTHERS ...Petitioners

VERSUS

STATE OF PUNJAB AND ANOTHERRespondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Dixit Raj Kapoor, Advocate for the petitioners.
(through video conferencing mode)

Ms. Himani Arora, AAG, Punjab.

Mr. Ankit Sharma, Advocate for respondent no.2.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.170 dated 24.09.2024 under Sections 309(4), 309(6), 3(5) of Bharatiya Nyaya Sanhita, 2023 registered at Police Station Civil Lines, Patiala, District Patiala and all the subsequent proceedings arising therefrom, on the basis of compromise dated 02.01.2025 & 24.12.2024 (Annexure P-2 & P-3).

2. This Court vide order dated 29.01.2025 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, parties have appeared before the learned Judicial Magistrate 1st Class, Patiala and got their statements



recorded. On the basis of the statements so recorded, learned Magistrate has submitted copy of report dated 06.03.2025 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Vakalatnama has been filed on behalf of respondent no.2. The same is taken on record and be tagged at the appropriate place.

5. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

6. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

7. Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder 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*, this petition is allowed and FIR No.170 dated 24.09.2024 under Sections 309(4), 309(6), 3(5) of Bharatiya Nyaya Sanhita, 2023 registered at Police Station Civil Lines, Patiala, District Patiala and all subsequent proceedings arising therefrom on the basis of compromise dated dated 02.01.2025 & 24.12.2024 (Annexure P-2 & P-3) are quashed qua the petitioners.

(MANISHA BATRA)
JUDGE

17.03.2025

Deepak Patwal

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