

2025:PHHC:105014



CRM-M-56878 of 2024 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-56878 of 2024 (O & M)

Date of decision: 12.08.2025

Sarvan Singh @ Sarwan Singh

..... Petitioner(s)

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sanjeev K. Sharma, Advocate,
for the petitioner(s).

Mr. M.S. Toor, AAG, Punjab.

Mr. Nagar Singh, Advocate,
for the complainant-respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of cross-case bearing DDR No. 31 dated 10.09.2024 under Sections 115(2), 126(2), 296 of BNS, 2023, registered at Police Station Zirakpur, District SAS Nagar (Mohali) in FIR No.381 dated 30.08.2024 under Sections 115(2), 126(2), 109(2), 351(3), 3(5) of BNS, 2023 registered at Police Station Zirakpur, District SAS Nagar, and all subsequent proceedings arising therefrom on the basis of compromise dated 06.11.2024 (Annexure P-3).

Vide orders dated 14.11.2024, 15.02.2025 and 22.04.2025, this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded in terms of certain parameters given in the

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aforesaid order dated 14.11.2024 with regard to the compromise (Annexure P-3).

In terms of the orders dated 14.11.2024, 15.02.2025 and 22.04.2025 passed by this Court, the parties have appeared before the court of Judicial Magistrate Ist Class, Dera Bassi, and as per the report dated 29.07.2025 submitted to this Court, both the parties have got recorded their respective statements in Court.

A perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence. In view of the compromise there is a remote possibility of the complainant coming forward to support the prosecution case. The powers under Section 482 Cr.PC can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

Though, the FIR has been registered under Section 109(2) of BNS, 2023, it is highly unlikely that a conviction would be recorded under the said provisions as no injury has been caused by a firearm.

In view of the aforesaid report of the Judicial Magistrate Ist Class, Dera Bassi, accompanied by the joint statement of both the parties, the present cross-case bearing DDR No. 31 dated 10.09.2024 under Sections

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115(2), 126(2), 296 of BNS, 2023, registered at Police Station Zirakpur, District SAS Nagar (Mohali) in FIR No.381 dated 30.08.2024 under Sections 115(2), 126(2), 109(2), 351(3), 3(5) of BNS, 2023 registered at Police Station Zirakpur, District SAS Nagar, and all subsequent proceedings arising therefrom are hereby quashed qua the petitioner herein.

Petition stands disposed of.

**(JASJIT SINGH BEDI)
JUDGE**

August 12, 2025
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No