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

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Date of decision : 12.08.2025

Asfak

..... Petitioner

V/S

State of Punjab and Ors.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Vipul Babuta, Advocate for petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

Mr. Avinder Singh Khurana, Advocate for respondents No.2 & 3.

AMARJOT BHATTI J. (ORAL)

1. Petitioner – Asfak has filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.0115 dated 09.05.2022, registered under Section 354-D of IPC 1860 at Police Station Jamalpur, Ludhiana (Annexure P-1) and all the subsequent proceedings arising therefrom, qua the petitioner, in light of the compromise effected between the parties dated 19.05.2025 (Annexure P-2).

2. As per facts of the case, complainant Jiya Lal filed written complaint that he is father of Kirti Kumari-respondent No.3 who was being harassed by one person namely Asfak. Said person is married and even then sending messages and calling his daughter time and again. He even came to his house. Therefore, he was brought before the police for taking action.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 28.05.2025, petitioner and respondents



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No.2 & 3 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Ludhiana dated 30.07.2025. Statements of respondents No.2 & 3 have been recorded where they confirmed the compromise with petitioner. They confirmed that this compromise has been effected voluntarily, without any coercion or undue influence and they have no objection regarding quashing of FIR.

4. Petitioner- Asfak also confirmed this fact in his statement. Statement of SI Dilbagh Singh is also recorded who confirmed that petitioner is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Ludhiana it is clear that the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. Both the parties are residents of same locality, it would enable them to live in peace and harmony. They have mutually settled all their disputes. It will end all litigation started between them.

6. Gainful reference can be made to the judgment of Larger Bench of Five Judges of this High Court cited in 2007(3) R.C.R. (Criminal) 1052 titled as Kulwinder Singh and Ors. Vs. State of Punjab and Anr., where it was explained that 'there can never be any hard and fast category which can be prescribed to enable the court to exercise its power under Section 482 of Cr.P.C. The only principle that can be laid down is the one which has been incorporated in the section itself i.e. to prevent abuse of the process of any court or to secure the ends of justice.'

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7. Therefore, by relying upon the ratio of the aforesaid judgment, no purpose would be served with the continuation of criminal proceedings. Considering these facts, the petition filed by the petitioner is accepted and FIR No.0115 dated 09.05.2022, registered under Section 354-D of IPC 1860 at Police Station Jamalpur, Ludhiana (Annexure P-1) and all subsequent proceedings arisen therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

12.08.2025.*Sunil Devi*

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No