

ITEM NO.41

COURT NO.16

SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 19816/2026

[Arising out of impugned final judgment and order dated 07-09-2026 in CRMM No. 50469/2026 passed by the High Court of Punjab & Haryana at Chandigarh]

GURDEV SINGH & ANR.

Petitioner(s)

VERSUS

THE STATE OF PUNJAB & ORS.

Respondent(s)

IA No. 318176/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 318180/2026 - EXEMPTION FROM FILING O.T.

Date : 26-10-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANDEEP MEHTA
HON'BLE MR. JUSTICE DEVENDRA KUMAR UPADHYAYA

For Petitioner(s) Mr. Chritarth Palli- 3235, AOR
Ms. Harsheen M Palli, Adv.
Mr. Agam Agarwal, Adv.
Mr. Rajat Gupta, Adv.
Ms. Anushka Juneja, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

The present proceeding has its genesis in FIR No. 221 dated 28th December, 2017, registered at Police Station Dehlon, Ludhiana for the offences punishable under Sections 324, 323, 506, and 120B of the Indian Penal Code, 1860 (for short, "IPC"), at the instance of one Pravar Singh against respondent Nos. 2 to 4.

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2. Respondent No. 4, in turn, lodged a cross case being DDR No. 10 dated 4th January, 2018 for the offences punishable under Sections

325, 506, 201, and 34 of the IPC against five persons, including both the petitioners.

3. Since the petitioners were working abroad, they were unable to appear before the trial Court and were declared proclaimed offenders on 22nd November, 2023 and 20th February, 2020 respectively. It seems that wiser counsel prevailed, and both sides decided to settle their disputes amicably. Accordingly, the proceedings of the case arising from DDR No. 10 of 2018 were compromised and the High Court quashed those proceedings *qua* three co-accused who were arraigned along with the petitioners. Likewise, the proceedings of FIR No. 221 of 2017 were also quashed *qua* respondent Nos. 2 to 4 after due verification of the compromise by the Magistrate. The quashing of the FIR as well as the cross case was made subject to the deposit of Rs. 10,000/- with Ashiana (Specialized Adoption Agency) and Snehalaya for Girls (Children's Home) QQ 2C-t-437, 15 C, Sector 15, Chandigarh, 160015 by three co-accused persons and respondent Nos. 2 to 4 respectively.

4. Thereafter, the petitioners and respondent Nos. 2 to 4 also entered into a compromise which was recorded on 4th February, 2025. Based on the said compromise, the petitioners approached the High Court with CRM-M-50469-2026 seeking quashing of the proceedings of the case bearing DDR No. 10 of 2018 as well as the proclamation orders dated 20th February, 2020 and 22nd November, 2023.

5. In these proceedings before the High Court, respondent Nos. 2 to 4 being the injured persons and the complainant in DDR No. 10 appeared through their counsel and affirmed the execution of the compromise dated 4th February, 2025. Noting the same, the High Court *vide* impugned order dated 7th September, 2026, directed the

parties to appear before the trial Court/*Illaq*a Magistrate on 28th September, 2026 or any other date convenient to the said Court for getting their respective statements recorded with regard to the compromise. The concerned Court was thereupon directed to submit a detailed report regarding the compromise arrived at between the parties.

6. Learned counsel for the petitioners urged that the petitioners are ready and willing to participate in the compromise verification proceedings but requiring their personal presence before the Magistrate would jeopardise the job prospects of the petitioners who are working abroad and in addition thereto, the petitioners would be put under unnecessary financial burden. It was thus submitted that the petitioners may be allowed to appear in the proceedings before the Magistrate through virtual mode/video conferencing with due representation through counsel.

7. Learned counsel further submitted that, to demonstrate their *bona fides* and intent to act as good Samaritans, the petitioners are ready to deposit a sum of Rs.5 lakhs with the same institution which caters to children with specialised needs as is referred to in the earlier quashing petitions of the co-accused persons as well as respondent Nos. 2 to 4.

8. Suffice it to say that for verification of the compromise in a case involving compoundable offences, only the presence and consent of the complainant is mandatory. There would be no requirement of presence of the accused to verify the compromise. In any event, since the proceedings against the co-accused persons have already been quashed by the High Court based on the compromise, allowing the proceedings against the petitioners to continue, despite the

undisputed fact that the complainants have settled the dispute with them, would be a sheer wastage of judicial time.

9. In view of the peculiar facts noted above, we hereby provide that the petitioners herein shall appear before the Magistrate in the compromise verification proceedings to be carried out in terms of order dated 7th September, 2026 passed by the learned Single Judge of the High Court by the virtual mode. The Court shall not insist for physical presence of the petitioners in these proceedings.

10. Consequently, we provide that the personal presence of the petitioners shall not be insisted upon in the compromise verification proceedings to be conducted before the Magistrate. The petitioners shall appear before the Magistrate through virtual mode/video conferencing on the date fixed, subject to their identification by their respective Advocates. Before the proceedings of verification of compromise are conducted, the petitioners shall be required to deposit a sum of Rs.5 lakhs with the institution named Ashiana (Specialized Adoption Agency) and Snehalaya for Girls (Children's Home) QQ 2C-437, 15C, Sector 15, Chandigarh-160015. The compromise verification proceedings shall be undertaken after the proof of payment of aforesaid amount is placed before the trial Court concerned.

11. With these directions, the special leave petition stands disposed of.

12. Pending applications, if any, shall stand disposed of.

(VARSHA MENDIRATTA)
ASTT. REGISTRAR-cum-PS

(AKSHAY KUMAR BHORIA)
COURT MASTER (NSH)