

...PETITIONER

...RESPONDENTS

Present: Mr. Ravi Kumar, Advocate for
Mr. Rajbir Singh, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.
Mr. Avinash Singh, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

2. Mr. Avinash Singh, Advocate has put in appearance on behalf of respondent No.2 and filed his *vakalatnama*, which is taken on record. Registry is directed to tag the same at the appropriate place.

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.138 dated 21.11.2023 under Sections 406/420 of IPC registered at Police Station Urban Estate, Patiala, District Patiala (Annexure P-1) along with all subsequent proceeding arising therefrom on the basis of compromise/affidavit dated 06.12.2023 (Annexure P-2).

At this stage, on the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab accepts notice on behalf of respondent No.1-State. Copy of the paper book be

supplied to him during the course of day. Learned counsel for the petitioner undertakes to secure the presence of respondent No.2 before the learned trial Court at the time of recording the statement.

Service is complete.

Now the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get recorded their statements regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 09.02.2024.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

4. In compliance of the above 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.
5. 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, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834** 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 (Crl.) 1052**, this petition is allowed and FIR No.138 dated 21.11.2023 registered under Sections 406/420 of Indian Penal Code at Police Station Urban Estate, Patiala, District Patiala (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

February 09, 2024

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(HARPREET SINGH BRAR)

JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |