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**IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH****CRM-M-8758-2024 (O&M)
Date of Decision: 09.09.2024****AVTAR SINGH****...Petitioner****V/S****STATE OF PUNJAB AND ANOTHER****...Respondents****CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR****Present:** Mr. Veneet Sharma, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

Mr. B.D. Sharma, Advocate for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. Instant petition has been filed under Section 482 of Cr.P.C. seeking quashing of the FIR No. 146 dated 28.06.2007, registered under Sections 406, 498-A of Indian Penal Code at Police Station Jandiala, Amritsar Rural District Amritsar and all subsequent proceedings arising out of the same, on the basis of compromise dated 11.01.2024 (Annexure P-2).

2. The following order was passed on 08.08.2024:

"Instant petition has been filed under Section 482 of Cr.P.C. seeking quashing of the FIR No. 146 dated 28.06.2007, registered under Sections 406, 498-A of Indian Penal Code at Police Station Jandiala, Amritsar Rural District Amritsar and all subsequent proceedings arising out of the same, on the basis of compromise dated 11.01.2024 (Annexure P-2).

Notice of motion returnable for 09.09.2024.

Mr. Sandeep Kumar, DAG Punjab, who is present in the Court, accepts notice on behalf of respondent No. 1-State and Mr. B.D. Sharma, Advocate has put in appearance on behalf of respondent No. 2. Learned counsel for respondent No. 2 admits the factum of compromise.

Service is complete.



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In the meantime, Parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of two weeks or any other date convenient to the trial Court/Illaq Magistrate to get their statements recorded regarding the compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 09.09.2024.

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

3. In compliance of the aforesaid 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.

4. 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. 146 dated 28.06.2007, registered under Sections 406, 498-A of Indian Penal Code at Police Station Jandiala, Amritsar Rural District Amritsar and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

09.09.2024

Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No