



234 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11031-2023 (O&M)

Date of decision: 09.08.2024

GOVINDA GHOSH AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ajay Singh, Advocate for
Mr. Sarabjit Singh, Advocate
for the petitioners.
Mr. Rishabh Singla, AAG Punjab.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 242 dated 21.08.2020, registered under Sections 363, 366, 366-A, 506, 346 and 120-B of Indian Penal Code at Police Station Beas, District Amritsar Rural and all subsequent proceedings arising out of the same, on the basis of compromise and affidavit dated 20.02.2023 (Annexure Annexures P-2 and P-3).

2. The following order was passed on 08.07.2024:

“Instant petition has been filed under Section 482 of Cr.P.C. seeking quashing of the FIR No. 242 dated 21.08.2020, registered under Sections 363, 366, 366-A, 506, 346 and 120-B of Indian Penal Code at Police Station Beas, District Amritsar Rural and all subsequent proceedings arising out of the same, on the basis of compromise and affidavit dated 20.02.2023 (Annexure Annexures P-2 and P-3).

Learned counsel for the petitioner inter alia contends that the FIR(supra) has been registered on the



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complaint made by respondent No. 2 on the ground that his daughter-respondent No. 3 has been enticed away by petitioner No. 1 with the help of his parents. Petitioner No. 1 and respondent No. 3 were in consensual relationship, which was opposed by respondent No. 2 and both of them had eloped together and got married with each other and both are cohabiting together as husband and wife and they have been blessed with two children from this wedlock. Respondent No. 2 is opposed to their marriage and as such he has not come forward to get the FIR(supra) quashed on the basis of compromise.

In view of the above, petitioners as well as respondent No. 3 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. 09.08.2024.

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. 242 dated 21.08.2020, registered under Sections 363, 366, 366-A, 506, 346 and 120-B of Indian Penal Code at Police Station Beas, District Amritsar Rural and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

August 09, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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