

CRM-M-11485-2023
Date of decision: 23.02.2024

MANDEEP SINGH AND ANOTHER

...PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None.

HARPREET SINGH BRAR J. (ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.24 dated 26.04.2021 registered under Sections 498-A and 406 of Indian Penal Code at Police Station Women, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 20.02.2023 (Annexure P-2).

2. The following order was passed on 09.03.2023 :-

“This is a petition under Section 482 Cr.P.C. seeking quashing of FIR No.24 dated 26.04.2021, registered under Sections 498-A and 406 IPC at P.S.Women, District Patiala (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise said to have been entered into between the parties dated 20.02.2023 (Annexure P-2).

Notice of motion.

Mr. Jashandeep Singh, Assistant Advocate General, Punjab appears and accepts notice on behalf of respondent No. 1-State. Mr. Janak Singh Bhinder, Advocate has put in appearance on behalf of respondents No.2 and 3, by filing vakalatnama, which is taken on record.

Let the parties appear before the trial Court/Duty Magistrate on 27.03.2023 or any other date convenient to the Court, for recording their statements with regard to compromise. The trial Court/Duty Magistrate is directed to submit a report on or before the next date of hearing as regards authenticity and genuineness of compromise after recording statements of all the

parties: The trial Court/Duty Magistrate shall also furnish the following information:

- 1. Whether there is any other accused, apart from the petitioners arrayed in this petition.
- 2. Whether there is any other complainant or affected/aggrieved party, apart respondents arrayed in the petition.
- 3. Whether the parties are involved in any other criminal case.
- 4. Whether any of the parties has been declared a proclaimed offender.

The trial Court/Duty Magistrate shall send his/her report through the Sessions Judge concerned on or before the date fixed, i.e., 23.05.2023.”

3. In view of the resolution passed by Bar Association of Punjab and Haryana High Court, there is no representation on behalf of the parties but report has been received from the concerned jurisdictional Court and perusal of the same indicates 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.24 dated 26.04.2021 registered under Sections 498-A and 406 of Indian Penal Code at Police Station Women, District Patiala (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

February 23, 2024
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(HARPREET SINGH BRAR)
JUDGE

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