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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23314-2017 (O&M)
Date of decision: 24.07.2024

Sunny Salaria and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Mr. Sandeep Kumar, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Ajaypal Singh Sandhu, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.61 dated 09.05.2016 under Sections 406 & 498-A of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Women Cell, Ludhiana and all subsequent proceedings arising therefrom in view of the compromise dated 14.06.2016 (Annexure P-2).

2. The following order was passed on 16.05.2024 : -

2024:PHHC:093251



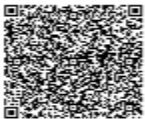
“...The petition is ordered to be taken on the board of this Court today itself. Since learned counsel for the petitioner as well as respondent no.2 have submitted that a compromise has been effected between the parties and also that parties are ready to abide by terms of the compromise and to record statements before the learned trial Court in this regard.

In view of above, the parties and Investigating Officer are directed to appear before the Illaqa /Duty Magistrate on 06.06.2024 or any other future date as per its convenience or on request of the parties for getting their statements recorded with regard to the compromise. However, it is made clear that no further adjournment shall be granted to the parties for that purpose. The Illaqa/Duty Magistrate shall submit the report on or before the next date of hearing. The report be forwarded to this Court specifying the following:-

- 1. The number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/proclaimed persons, in the case;*
- 2. the name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*
- 3. the stage of trial/proceedings pending;*
- 4. if the compromise is genuine, voluntary and out of free will of the parties.*
- 5. Whether any other criminal case pending against the accused.*

Report of Illaqa/Duty Magistrate be awaited for 24.07.2024.”

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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.61 dated 09.05.2016 under Sections 406 & 498-A IPC, registered at Police Station Women Cell, Ludhiana and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

[HARPREET SINGH BRAR]
JUDGE

24.07.2024
vishnu

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No