

217

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15440-2024 (O&M)

Date of decision: 02.05.2024

SANJEEV GUPTA AND ANOTHER

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ish Karan Singh Chhabra, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Sukhdeep Singh, Advocate for respondent No. 2.

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. 99 dated 02.06.2022 registered under Sections 406, 498-A of Indian Penal Code at Police Station Women Police Commissionerate, Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise as contained in the petition filed under Section 13-B of Hindu Marriage Act 1955 (Annexure P-2).

2. The following order was passed on 01.04.2024:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.99 dated 02.06.2022 under Sections 406/498-A of IPC registered at Police Station Women, Police Commissionerate, Ludhiana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise as contained in petition filed under Section 13-B of the Hindu Marriage Act, 1955 (Anneuxre P-2).

Notice of motion for 02.05.2024.

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 and Mr. Sukhdeep Singh, Advocate accepts notice for respondent No.2 and files his power of attorney and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa 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. 02.05.2024.

A copy of the order be sent to learned trial Court/Illaqa 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. 99 dated 02.06.2022 registered under Sections 406, 498-A of Indian Penal Code at Police Station Women Police Commissionerate, Ludhiana and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

May 02, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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