

229 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17519-2024 (O&M)
Date of decision: 14.05.2024

MANDEEP SINGH KALER

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sanpreet S. Kalra, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

Mr. Rajesh Kumar, Advocate for
Mr. Vijay Kumar Begra, 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. 01 dated 01.01.2022 registered under Sections 406 and 498-A of Indian Penal Code at Police Station City Phagwara District Kapurthala and all consequential proceedings arising therefrom on the basis of compromise dated 04.04.2024. (Annexure P-2).

2. The following order was passed on 10.04.2024:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.1 dated 01.01.2022 under Sections 406 & 498-A of IPC, registered at Police Station City Phagwara, District Kapurthala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 04.04.2024 (Annexure P-2).

Notice of motion for 14.05.2024.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Vijay Kumar Begra, Advocate accepts notice for respondent No.2 and files his Vakalatnama, which is taken on record. 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/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq 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. 14.05.2024.

A copy of the 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 (CrI.) 1052**, this petition is allowed and FIR No. 01 dated 01.01.2022 registered under Sections 406 and 498-A of Indian Penal Code at Police Station City Phagwara District Kapurthala and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

May 14, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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