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IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-18309-2024  
Date of decision: 17.05.2024

GAGAN KUMAR  
....PETITIONER

Versus

STATE OF PUNJAB AND ANOTHER  
...RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: - Mr. Pawan Kumar, Advocate for  
Mr. Saurabh Arora, Advocate  
for the petitioner.

Mr. Rishabh Singhla, AAG, Punjab.

Mr. Sunil Kumar, Advocate for  
Mr. Ramneek Singh, Advocate  
for respondent No. 2.

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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. 61 dated 25.07.2023 registered under Sections 406/498-A 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 05.12.2023 (Annexure P-2).

2. The following order was passed on 16.04.2024:-

*“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.61 dated 25.07.2023 under Sections 406/498-A of IPC registered at Police Station Women, District Patiala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated*



05.12.2023 (Annexure P-2).

*Notice of motion for 17.05.2024.*

*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. Copy of the paper book be supplied to him during the course of day. Learned counsel for the petitioner undertakes to secure the presence of respondent No.2 before the learned trial Court at the time of recording the statement.*

*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. 17.05.2024,*

*A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”*

3. In compliance of the above 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. 61 dated 25.07.2023 registered under Sections 406/498-A of Indian Penal Code at Police Station Women, District Patiala (Annexure P-1) and compromise

dated 05.12.2023, all subsequent proceedings arising out of the same are quashed, qua the petitioner.

17.05.2024  
Anu

(HARPREET SINGH BRAR)  
JUDGE

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