



217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20679-2024 (O&M)

Date of decision: 28.05.2024

NAMINDER SINGH

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vikas Sharma, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

Mr. Vaibhav Bhargav, 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.0058 dated 01.07.2023 under Section 498-A of IPC, registered at Police Station Sadar Banga, District SBS Nagar (Nawanshahar) (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 05.04.2024 (Annexure P-2).

2. The following order was passed on 26.04.2024:

"CRM-18015-2024"

Present application has been filed under Rule 3-A (1) Chapter VI Part-B Vol. V of the High Court Rules and Orders for grant of leave to file the main petition.

In view of the averments made in the application, same is allowed and leave sought is granted.

CRM-M-20679-2024

This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0058 dated 01.07.2023 under Section 498-A of IPC, registered at Police Station Sadar



Banga, District SBS Nagar (Nawanshahar) (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 05.04.2024 (Annexure P-2).

Notice of motion for 28.05.2024.

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. Vaibhav Bargav, 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.

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.0058 dated 01.07.2023 under Section 498-A of IPC,

registered at Police Station Sadar Banga, District SBS Nagar (Nawanshahar) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

May 28, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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