



236 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21550-2024 (O&M)

Date of decision: 03.07.2024

LAKHWINDER SINGH AND ANOTHER

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sukhdev Singh, Advocate for
Mr. Sandeep Kumar, ADvocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Sahil Nain, 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.193 dated 02.09.2021 under Sections 498-A, 115, 406, 34 of IPC (learned trial Court did not frame the charge under Section 115 of IPC and only framed charges under Sections 498-A, 406, 34 of IPC vide order dated 02.09.2023), registered at Police Station City Rajpura, District Patiala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 22.04.2024 (Annexure P-3).

2. The following order was passed on 02.05.2024:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.193 dated 02.09.2021 under Sections 498-A, 115, 406, 34 of IPC (learned trial Court did not frame the charge under Section 115 of IPC and only framed charges under Sections 498-A, 406, 34 of IPC vide order dated 02.09.2023), registered at Police Station City Rajpura, District Patiala (Annexure



P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 22.04.2024 (Annexure P-3).

Notice of motion for 03.07.2024.

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. Sahil Nain, Advocate accepts notice for respondent No.2 and files Power of Attorney, 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 (CrL.) 1052**, this petition is allowed and FIR No.193 dated 02.09.2021 under Sections 498-A, 115, 406, 34 of IPC (learned trial Court did not frame the charge under Section 115 of IPC and only framed charges under Sections 498-A, 406, 34 of IPC vide order dated 02.09.2023), registered at Police Station City Rajpura, District Patiala

(Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

July 03, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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