



238 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-22631-2024 (O&amp;M)

Date of decision: 02.07.2024

MOHD. AFAKBHAI KURSHIDBHAI ANSARI @ MOHD. AFAK

...PETITIONER

V/S

STATE OF UT CHANDIGARH AND ANOTHER

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Manoj Gujral, Advocate  
for the petitioner.Mr. Manish Bansal, PP UT Chandigarh,  
Mr. Subham Mongia, Advocate for  
Mr. Navit Singh, Advocate for U.T. Chandigarh.Mr. Kulwinder Bhargav, 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. 16 dated 21.01.2020, registered under Sections 406 and 498-A of Indian Penal Code at Police Station Women Cell, Chandigarh and all subsequent proceedings arising out of the same, on the basis of compromise dated 26.04.2024 (Annexure P-2).

2. The following order was passed on 06.05.2024:

*"Instant petition has been filed under Section 482 of Cr.P.C. seeking quashing of the FIR No. 16 dated 21.01.2020, registered under Sections 406 and 498-A of Indian Penal Code at Police Station Women Cell, Chandigarh and all subsequent proceedings arising out of the same, on the basis of compromise dated 26.04.2024 (Annexure P-2).*

*Notice of motion.*

*Mr. Manish Bansal, PP UT Chandigarh, who is present in the Court, accepts notice on behalf of respondent No. 1- UT Chandigarh.*

*In the meantime, Parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of two weeks or any other date convenient to the trial Court/Illaq Magistrate to get their statements recorded regarding the compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 02.07.2024.*

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

*This shall be the responsibility of the petitioner to procure the presence of respondent No. 2 before the learned trial Court/Illaq Magistrate.”*

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. 16 dated 21.01.2020, registered under Sections 406 and 498-A of Indian Penal Code at Police Station Women Cell, Chandigarh and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

**July 02, 2024**  
Ajay Goswami

**(HARPREET SINGH BRAR)**  
**JUDGE**

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