



252 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23089-2024
Date of decision: 04.07.2024

VARUN SHARMA

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Fatehjeet Singh, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Ms. Jaspreet Kaur, Advocate for
Mr. Gursharan Singh, Advocate
for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.50 dated 28.09.2020 under Section 498-A of IPC, registered at Women Police Station, District Police Commissionerate, Jalandhar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 09.04.2024 (Annexure P-2).

2. Ms. Jaspreet Kaur, Advocate for Mr. Gursharan Singh, Advocate has put in appearance on behalf of respondent No.2 and filed *vakalatnama* on his behalf, which is taken on record. Registry is directed to tag the same at the appropriate place.

3. The following order was passed on 09.05.2024 :-

"This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.50 dated 28.09.2020 under Section 498-A of IPC, registered at Women Police Station, District Police Commissionerate Jalandhar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 09.04.2024 (Annexure P-2).



Notice of motion for 04.07.2024.

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 Ms. Jaspreet Kaur, Advocate accepts notice for respondent No.2 and files Memorandum of Appearance, which is taken on record. Copy of the paper book be supplied to them during the course of day. Learned counsel for respondent No.2 undertakes to file Vakalatnama in the Registry before the next date of hearing.

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.”

4. 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.

5. Learned State counsel on instructions from ASI Shish Pal Singh, submits that the impugned order vide which, the petitioner was declared as proclaimed offender, was set aside by this Court on 04.05.2024 in case bearing CRM-M No.23091 of 2024.

6. In view of the above 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.50 dated 28.09.2020 under Section 498-A of IPC, registered at Women Police Station, District Police Commissionerate, Jalandhar (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

July 04, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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