



## IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

252

CRM-M-25465 of 2022

DATE OF DECISION: 01.08.2024

Baljinder Singh

.....Petitioner

VERSUS

State of Punjab and another

.....Respondents

CORAM HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present Mr.Gauravjit Singh, Advocate,  
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Gurjot Singh Sadhrao, 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. 29 dated 04.04.2019, under Sections 406 and 498-A IPC, registered at Police Station PS Women, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 20.04.2022 (Annexure P-2).

2. The following order was passed on 04.08.2022:-

*“Instant application has been filed under Section 482 Cr.P.C.for directing the parties to record their statements before Illaga Magistrate/Duty Magistrate in view of compromise, dated 20.04.2022.*

*Notice of the application.*

*On the asking of the Court, Ms.Sakshi Bakshi, AAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State, whereas Mr.Gurjot Singh Sadhrao, Advocate, accepts notice on behalf of respondent No.2.*



*It has been contended by learned counsel for the applicant- petitioner that the parties have compromised the matter.*

*Learned counsel for respondent No.2-complainant has affirmed the assertions made by learned counsel for the petitioner. In view of above, both the parties are directed to appear before the concerned Illaga Magistrate/Duty Magistrate on 17.08.2022 for recording their statements, who shall record their respective statements with regard to the genuineness/correctness of the compromise and that the compromise is not the result of any fraud or misrepresentation and is the result of free will of the parties. It would also be verified that besides the accused (petitioner) mentioned in the petition, there is no other accused in the FIR and the parties are not involved or declared proclaimed offender in any other criminal case. The Illaqa Magistrate/Duty Magistrate shall send his/her report through learned Sessions Judge concerned on or before the date already fixed before this Court, i.e. 08.09.2022.*

*Application stands allowed*

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 any quarter.

4. Both the counsel are *ad -idem* that in the absence of the Aadhar Card of the daughter of petitioner and respondent no.2, FDR in her name has not been made as per the Settlement.

5. Learned counsel for respondent no.2 submits that as Aadhar Card has already been submitted to the petitioner and learned counsel for the petitioner submits that as per the terms and conditions of the Settlement, they would get the FDR made in the name of his daughter and hand over the FDR to the learned counsel for the respondent no.2 within eight weeks' from today.

6. 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. 29  
dated 04.04.2019, under Sections 406 and 498-A IPC, registered at Police Station PS  
Women, District Patiala (Annexure P-1) and all subsequent proceedings arising  
therefrom in view of the compromise dated 20.04.2022 (Annexure P-2) are quashed,  
qua the petitioner.

7. In case, the petitioner fails to abide by the undertaking given in this  
Court with regard to creating FDR in the name of daughter of petitioner, respondent  
no.2 would be at liberty to revive the present petition to the above extent.

01.08.2024  
mamta

(HARPREET SINGH BRAR)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |