

CRM-M-25221-2023
Date of decision: 04.04.2024

...PETITIONER

V/S

...RESPONDENTS

Present: Mr. Shubham Goyal, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Jigerjeet Singh, Advocate for
Mr. Nitin Shawal, Advocate
for respondent Nos.2 and 3.

HARPREET SINGH BRAR J. (ORAL)

The prayer in the present petition filed under Seciton 482 Cr.P.C. is for quashing of the FIR bearing No.007 dated 02.10.2022 registered at Police Station NRI, District Ferozepur, under Sections 498-A, 406 IPC, along-with all the subsequent proceedings arising therefrom, on the basis of compromise dated 19.12.2022 (Annexure P-2).

2. The following order was passed on 18.05.2023 :-

“Prayer in the present petition under Section 482 Cr.P.C. for quashing of FIR in question and all other consequential proceedings arising therefrom, on the basis of compromise, arrived at between the parties.

Notice of motion.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab, accepts notice on behalf of respondent No.1-State and seeks time to file reply, if any.

At this stage, Mr.Nitin Shawal, Advocate has put in appearance on behalf of respondent No.2 and 3.

Learned counsel for respondent No.2 and 3 affirmed the factum of compromise between the parties.

Let the parties to appear before the trial Court/Area Magistrate, as the case may be, on 31.05.2023 or any other date convenient to the parties, but not later than one week thereafter, for getting their statements recorded with regard to the compromise. Trial Court is directed to record the statements of all the concerned parties with regard to the genuineness and validity or otherwise of the compromise.

Report be sent through District and Sessions Judge before the next date of hearing.

Adjourned to 16.08.2023.”

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 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 bearing No.007 dated 02.10.2022 registered at Police Station NRI, District Ferozepur, under Sections 498-A, 406 IPC and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

April 04, 2024
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(HARPREET SINGH BRAR)
JUDGE

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