

CRM-M-27856-2023
Date of decision: 06.05.2024

...PETITIONER

V/S

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Amandeep Chabbra, Advocate
for the petitioner.

Mr. Shashank Bhandari, Addl. P.P., UT Chandigarh.

None for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

1. This is a petition under Section 482 Cr.P.C. for quashing of FIR No.83, dated 18.12.2022, under Sections 406/498-A IPC, 1860 registered at Police Station Women Cell, Chandigarh (Annexure P-1) along with all subsequent proceedings arising therefrom, on the basis of compromise dated 27.02.2023 (Annexures P-2).
2. The following order was passed on 30.05.2023 :-

“This is a petition under Section 482 Cr.P.C. for quashing of FIR No.83, dated 18.12.2022, under Sections 406/498-A IPC, 1860 (Annexure P-1) registered at Police Station Women Cell, Chandigarh, with all subsequent proceedings arising therefrom, on the basis of compromise dated 27.02.2023 (Annexures P-2).

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of respondent No.1-State. Ms. Kanika Toor, Advocate for Mr. Rajeev Sharma, Advocate has put in appearance on behalf of respondent No.2. He admits the factum of compromise entered into between the parties.

List on 28.07.2023.

In the meantime, the parties are directed to appear before the Illaqa Magistrate/trial Court within a period of four weeks from today, for recording of their statements with regard to the compromise.

The trial Court is directed to submit a report on or before the next date of hearing containing the following information:-

- (i) Number of persons arrayed as accused in the FIR;
- (ii) Whether any accused is declared as proclaimed offender?
- (iii) Whether the compromise is genuine, voluntary and without any coercion or undue influence?
- (iv) Whether the accused persons are involved in any other FIR or not?.

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 No.83, dated 18.12.2022, under Sections 406/498-A IPC, 1860 registered at Police Station Women Cell, Chandigarh (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

May 06, 2024
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(HARPREET SINGH BRAR)
JUDGE

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