



237 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28243-2024 (O&M)
Date of decision: 19.07.2024

SURJIT KAUR @ SURJEET KAUR

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sahil Choudhary, Advocate for
Mr. Navneet Singh, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

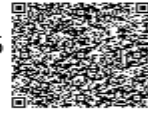
Mr. Nagesh Paul, Advocate for
Ms. Shivani Jaglan, Advocate
for respondent No.2.

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.40 dated 09.04.2024 under Sections 406/498-A/506 of IPC registered at Police Station Women, District SAS Nagar, Mohali (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2) and affidavit dated 02.05.2024 (Annexure P-3).

2. The following order was passed on 30.05.2024:-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.40 dated 09.04.2024 under Sections 406/498-A/506 of IPC registered at Police Station Women, District SAS Nagar, Mohali (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2) and affidavit dated 02.05.2024 (Annexure P-3).



Learned counsel for the petitioner submits that the petitioner is the mother-in-law of respondent No.2 and has been falsely implicated in the present case. He further submits that in view of the law laid down by Hon'ble Supreme Court in 'Jayrajsinh Digvijaysinh Rana Vs. State of Gujarat and another' 2012(4) RCR (Crl.) 589 and this Court in 'Parambir Singh Gill Vs. Malkiat Kaur' 2010(1) RCR (Crl.) 256, partial compromise is permissible.

Notice of motion for 05.07.2024.

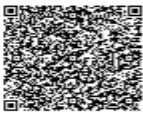
At this stage, on the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab accepts notice on behalf of respondent No.1-State and Ms. Shivani Jaglan, Advocate accepts notice for respondent No.2 and files her vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

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 i.e. 05.07.2024.

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

3. Thereafter, vide order dated 05.07.2024, the parties were again directed to appear before court below. In compliance of the aforesaid orders, 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.40 dated 09.04.2024 under Sections 406/498-A/506 of IPC registered at Police Station Women, District SAS Nagar, Mohali (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

July 19, 2024
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(HARPREET SINGH BRAR)
JUDGE

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