



267 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28760-2024 (O&M)
Date of decision: 09.07.2024

SURJIT SINGH DHILLON

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. J.S. Sekhon, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

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.105 dated 28.05.2022 under Sections 498-A of IPC registered at Police Station Mahilpur, District Hoshiarpur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 06.05.2024 (Annexure P-2).

2. The following order was passed on 31.05.2024:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.105 dated 28.05.2022 under Sections 498-A of IPC registered at Police Station Mahilpur, District Hoshiarpur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 06.05.2024 (Annexure P-2).

Notice of motion.

At this stage, on the asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent No.1-State. Copy of the paper book be supplied to him during the course of day.

Adjourned to 09.07.2024.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illqa Magistrate within four weeks from today or any other date convenient to the trial Court/Illqa Magistrate, to get recorded their statements 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. 09.07.2024.

Learned counsel for the petitioners is directed to ensure the presence of respondent No.2, at the time of recording the statement.

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

3. In compliance of the aforesaid 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 (CrI.) 1052**, this petition is allowed and FIR No.105 dated 28.05.2022 under Sections 498-A of IPC registered at Police Station Mahilpur, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

July 09, 2024
Ajay Goswami

- (i) Whether speaking/reasoned
- (ii) Whether reportable

(HARPREET SINGH BRAR)
JUDGE

- Yes/No
- Yes/No