



No.COMI-66-2020 titled as Sarita Saini vs. Davinder Singh Etc. , on the basis of compromise dated 28.03.2024 (Annexure P-5) arrived at between the parties.

Counsel for the petitioners has mentioned in memo of parties of the petition that the petitioners have not been declared as proclaimed persons.

Notice of motion.

Mr. A.S. Samra, A.A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Fateh Singh Dhillon, Advocate, accepts notice on behalf of respondent No.2 and has filed his vakalatnama. The same is taken on record. He has admitted the factum of compromise effected between the parties.

The parties and Investigating Officer are directed to appear before the Illaqa Magistrate/trial Court on 08.07.2024 or any other future date as per its convenience or on request of the parties for getting their statements recorded with regard to the compromise. However, it is made clear that no further adjournment shall be granted to the parties for that purpose. The Illaqa/Duty Magistrate shall submit the report on or before the next date of hearing. The report be forwarded to this Court specifying the following:-

- 1. The number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/proclaimed person(s), in the case;*
- 2. the name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*
- 3. the stage of trial/proceedings pending;*
- 4. if the compromise is genuine, voluntary and out of free will of the parties.*
- 5. Whether any other criminal case pending against the accused.*

Report of Illaqa /Duty Magistrate be awaited for 08.08.2024.”



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 (Crl.) 1052*, this petition is allowed and FIR No.130 dated 27.12.2019 registered under Sections 406 and 498-A of IPC at Police Station Women Cell, Jalandhar, District Jalandhar (Annexure P-1) along with all subsequent proceedings arising therefrom including Challan/Report under Section 173 of Cr.P.C. dated 25.10.2022 and also criminal complaint bearing CIS No.COMI-66-2020 dated 05.02.2020 titled as 'Sarita Saini vs. Davinder Singh Etc.' and all consequential proceedings arising out of the same are quashed, qua the petitioners.

August 08, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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