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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-34896-2024 (O&M)
Date of decision: 27.08.2024

Shivam Taxali @ Shivam and others

...Petitioners

Versus

U.T. Chandigarh and another

...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Mr. Eeshan Garg, Advocate
for the petitioners.

Mr. P.S. Paul, Addl. P.P., U.T. Chandigarh.

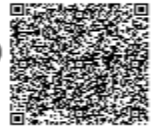
Mr. Pyare Lal Sanduria, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No.0049 dated 07.05.2022 under Sections 406 & 498-A of the Indian Penal Code, 1860 (for short 'IPC'), registered at Women Police Station, District Chandigarh along with all subsequent proceedings arising therefrom on the basis of compromise dated 12.07.2024 (Annexure P-2).

2. The following order was passed on 24.07.2024 : -

2024:PHHC:109939



“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0049 dated 07.05.2022 under Sections 406/498-A of IPC registered at Women Police Station, District Chandigarh along with all subsequent proceedings arising therefrom on the basis of compromise dated 12.07.2024 (Annexure P-2).

Notice of motion for 27.08.2024.

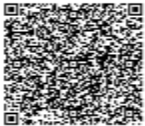
At this stage, on the asking of the Court, Mr. P.S. Paul, Addl.P.P., for U.T. Chandigarh accepts notice on behalf of respondent No.1-State and Mr. Pyare Lal Sanduria, Advocate accepts notice for respondent No.2 and files her memorandum of appearance and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day. Learned counsel for respondent No.2 is directed to file her power of attorney on or before the next date of hearing before the Registry of this Court.

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. 27.08.2024.

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 (Crl.) 1052*, this petition is allowed and FIR No.0049 dated 07.05.2022 under Sections 406 & 498-A of IPC, registered at Women Police Station, District Chandigarh and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

[HARPREET SINGH BRAR]
JUDGE

27.08.2024
vishnu

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No