

CRM-M-37647-2024
Date of decision: 09.09.2024

...PETITIONERS

V/S

...RESPONDENTS

Present: Dr. Payel Mehta, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Sukhdev Singh, Advocate for
Mr. A.K. Handa, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.136 dated 12.12.2018 under Sections 406, 498-A of IPC registered at Police Station Women, Patiala (Annexure P-1) and further prayer is for quashing of order dated 17.08.2021 passed by learned Judicial Magistrate Ist Class, Patiala against petitioner Nos.2 and 3, along with all subsequent proceedings arising therefrom on the basis of compromise dated 28.05.2024 (Annexure P-3).

2. The following order was passed on 05.08.2024 :-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.136 dated 12.12.2018 under Sections 406, 498-A of IPC registered at Police Station Women, Patiala (Annexure P-1) and further prayer is for quashing of order dated 17.08.2021 passed by learned Judicial Magistrate Ist Class, Patiala against petitioner Nos.2 and 3, along with all subsequent



proceedings arising therefrom on the basis of compromise dated 28.05.2024 (Annexure P-3).

A request for attending the matter through video conferencing was made on behalf of the petitioners, however nobody has joined.

Notice of motion.

At this stage, on the asking of the Court, Mr. Rishabh Singla, AAG, Punjab accepts notice on behalf of respondent No.1-State and Mr. Avtar Krishan Handa, Advocate accepts notice for respondent No.2 and files his power of attorney, which is taken on record and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

Adjourned to 09.09.2024.

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 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.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance. Registry to inform learned counsel for the petitioners as well for timely compliance of the order passed.”

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.136 dated 12.12.2018 under Sections 406, 498-A of IPC registered at Police Station Women, Patiala and all consequential proceedings arising out of the same are quashed, qua the petitioners.

September 09, 2024
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(HARPREET SINGH BRAR)
JUDGE

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