

237 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34776-2024 (O&M)
Date of decision: 23.08.2024

NARESH KUMAR AND OTHERS
V/S
STATE OF PUNJAB AND ANOTHER
...PETITIONERS
...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Davinder Singh Saini, Advocate
for the petitioners.
Mr. Sandeep Kumar, DAG Punjab.
Mr. Lakhwinder Singh, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. Instant petition has been filed under 528 of Bhartiya Nagarik Suraksha Sanhita 2023 seeking quashing of the FIR No. 20 dated 29.03.2024, registered under Sections 498, 406, 323, 506 and 34 of the Indian Penal Code at Police Station Sadar Rupnagar District Rupnagar (Annexure P-1) and all subsequent proceedings arising out of the same, on the basis of compromise dated 12.04.2024 (Annexure P-3).

2. The following order was passed on 22.07.2024:

“Instant petition has been filed under 528 of Bhartiya Nagarik Suraksha Sanhita 2023 seeking quashing of the FIR No. 20 dated 29.03.2024, registered under Sections 498, 406, 323, 506 and 34 of the Indian Penal Code at Police Station Sadar Rupnagar District Rupnagar (Annexure P-1) and all subsequent proceedings arising out of the same, on the basis of compromise dated 12.04.2024 (Annexure P-3).

Notice of motion 23.08.2024.

Mr. Subhash Godara, Addl. AG Punjab, who is present in the Court, accepts notice on behalf of respondent No. 1-State and Mr. Anand Kumar Maurya, Advocate for Mr. Lakhwinder Singh, Advocate has put in appearance on behalf of respondent No. 2 and

filed power of attorney. Same is taken on record. Learned counsel for respondent No. 2 admits the factum of compromise.

Service is complete.

In the meantime, Parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of two weeks or any other date convenient to the trial Court/Illaq Magistrate to get their statements recorded regarding the compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 23.08.2024.

A copy of this 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. 20 dated 29.03.2024, registered under Sections 498, 406, 323, 506 and 34 of the Indian Penal Code at Police Station Sadar Rupnagar District Rupnagar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

August 23, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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