

251 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35681-2024 (O&M))
Date of Decision: 29.08.2024

VISHAL KAPPOR AND ANOTHER
V/S
STATE OF PUNJAB AND ANOTHER
...PETITIONERS
...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kanwaljeet Singh, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. L.S. Lakhanpal, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. This second petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita for quashing of FIR No.185 dated 24.09.2022 under
Sections 406 & 498-A of IPC, registered at Police Station Samrala, District
Khanna/Ludhiana (Annexure P-1) and all the subsequent proceedings
emanating therefrom, on the basis of compromise dated 09.07.2024 (Annexure
P-2).

2. The following order was passed on 30.07.2024:

*“This second petition has been filed under Section
482 of the Code of Criminal Procedure, 1973 for quashing of
FIR No.185 dated 24.09.2022 under Sections 406 & 498-A of
IPC, registered at Police Station Samrala, District
Khanna/Ludhiana (Annexure P-1) and all the subsequent
proceedings emanating therefrom, on the basis of compromise
dated 09.07.2024 (Annexure P-2).*



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The first petition i.e. CRM-M-29291-2024 was dismissed as withdrawn with liberty to file a fresh petition in case genuine compromise is effected between the parties.

Notice of motion for 29.08.2024.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. L.S. Lakhanpal, Advocate accepts notice for respondent No.2 and files his Vakalatnama, which is taken on record. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa 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/Illaqa 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.185 dated 24.09.2022 under Sections

406 & 498-A of IPC, registered at Police Station Samrala, District Khanna/Ludhiana (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

29.08.2024

Ajay Goswami

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