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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35934-2024
Date of decision: 30.09.2024

BHUPINDER KUMAR ALIAS BHUPINDER SINGH
...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER
...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Veer Vikram Singh, Advocate
for the petitioner (through video conferencing).
Mr. Rishabh Singla, AAG, Punjab.
Ms. Kiranjeet Kaur, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita (BNSS) seeking quashing of FIR No.217 dated
04.07.2024 under Section 74 of Bharatiya Nyaya Sanhita (BNS) registered at
Police Station Dera Bassi, District Mohali SAS Nagar, Punjab along with all
subsequent proceedings arising therefrom on the basis of compromise dated
18.07.2024 (Annexure P-2).

2. The following order was passed on 29.07.2024 :-

*“This petition has been filed under Section 528 of
Bharatiya Nagarik Suraksha Sanhita (BNSS) seeking quashing of
FIR No.217 dated 04.07.2024 under Section 74 of Bharatiya Nyaya
Sanhita (BNS) registered at Police Station Dera Bassi, District
Mohali SAS Nagar, Punjab along with all subsequent proceedings
arising therefrom on the basis of compromise dated 18.07.2024
(Annexure P-2).*

Notice of motion for 29.08.2024.

*At this stage, on the asking of the Court, Mr. Subhash
Godara, Addl.A.G., Punjab accepts notice on behalf of respondent
No.1-State and Ms. Kiranjeet Kaur, Advocate accepts notice for
respondent No.2 and files her vakalatnama and admits to the
factum of compromise. 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/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. 29.08.2024.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

3. Thereafter, on 29.08.2024, the parties were again directed to appear before the jurisdictional/Illaq Magistrate within a period of two weeks. In compliance of the aforesaid orders, 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.217 dated 04.07.2024 under Section 74 of Bharatiya Nyaya Sanhita (BNS) registered at Police Station Dera Bassi, District Mohali SAS Nagar, Punjab and all consequential proceedings arising out of the same are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

September 30, 2024
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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |