



CRM-M-46516-2024 (O&M)

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241 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46516-2024 (O&M)

Date of decision: 21.10.2024

MUNISH KUMAR @ MUNISH BAKSHI AND ANOTHER

...PETITIONERS

V/S

UT CHANDIGARH AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Piyush Mittal, Advocate for
Mr. Arpan Sabharwal, Advocate
for the petitioners.

Mr. Sidakmeet Singh Sandhu, Addl. PP UT Chandigarh.

Mr. Atinderpal Singh, Advocate for
Mr. Rahul Garh, Advocate for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.0018 dated 19.03.2024 under Sections 323/406/498-A of IPC registered at Police Station Women Police Station, Chandigarh (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 11.06.2024 (Annexure P-2).

2. The following order was passed on 18.09.2024:

"This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.0018 dated 19.03.2024 under Sections 323/406/498-A of IPC registered at Police Station Women Police Station, Chandigarh (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 11.06.2024 (Annexure P-2).

Notice of motion for 21.10.2024.

At this stage, on the asking of the Court, Mr. Sidakmeet Singh Sandhu, Addl.P.P., U.T. Chandigarh accepts notice on behalf of respondent No.1-State and Mr. Sahil Siddharth Jain, Advocate for Mr. Rahul Garg, Advocate accepts notice for respondent No.2 and



files his power of attorney 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.

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.0018 dated 19.03.2024 under Sections 323/406/498-A of IPC registered at Police Station Women Police Station, Chandigarh (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

October 21, 2024

Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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