

242 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37325-2024 (O&M)
Date of Decision: 16.09.2024

SUBHASH CHANDRA AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Munish Garg, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Munish Kamboj, 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.8 dated
25.04.2024 under Sections 498-A & 406 of IPC, registered at Police Station
Women, Ludhiana Rural, District Ludhiana (Annexure P-1) along with all
subsequent proceedings arising therefrom on the basis of compromise dated
15.05.2024 (Annexure P-2).

2. The following order was passed on 05.08.2024:

*“This petition has been filed under Section 528 of
Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of
FIR No.8 dated 25.04.2024 under Sections 498-A & 406 of
IPC, registered at Police Station Women, Ludhiana Rural,
District Ludhiana (Annexure P-1) along with all subsequent
proceedings arising therefrom on the basis of compromise
dated 15.05.2024 (Annexure P-2).*

Notice of motion for 16.09.2024.

*At this stage, on asking of the Court, Mr. Subhash
Godara, Addl. A.G., Punjab accepts notice on behalf of*



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respondent No.1-State and Mr. Munish Kamboj, Advocate accepts notice for respondent No.2 and files Memorandum of Appearance, which is taken on record. He undertakes to file his Vakalatnama in the Registry before the next date of hearing. Copy of the paper book be supplied to them during the course of day.

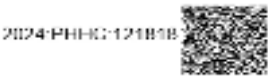
Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within three 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. As requested, petitioner No.3, who is stated to be residing abroad, is permitted to record his statement in support of the compromise through his father-Special Power of Attorney.

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.8 dated 25.04.2024 under Sections



District Ludhiana (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

16.09.2024

Ajay Goswami

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