



CRM-M-37439-2024 (O&M)

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224 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-37439-2024 (O&M)

Date of Decision: 06.09.2024

DEEPAK AND OTHERS

...PETITIONERS

Versus

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sidhant Vermani, Advocate (through video conferencing)
for the petitioners.

Mr. Sandeep Kumar, DAG Punjab.

Mr. Sahil Vashishat, 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. 88 dated 12.12.2020 under Sections 406, 498-A, 323 of IPC, registered at Police Station Women, District Jalandhar (Annexure P-1) 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 05.08.2024:

"This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.88 dated 12.12.2020 under Sections 406, 498-A, 323 of IPC, registered at Police Station Women, District Jalandhar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 18.07.2024 (Annexure P-2).

Notice of motion for 06.09.2024.

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. Mohit Vashishat, 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



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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/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. 88 dated 12.12.2020 under Sections 406, 498-A, 323 of IPC, registered at Police Station Women, District Jalandhar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

06.09.2024

Ajay Goswami

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>