



218 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-39549-2024
Date of decision: 20.09.2024

GAGAN GUPTA@GAGANDEEP GUPTA AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gaurav Jain, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Lovejeet Poonia, Advocate for
Mr. Rajat Singla, 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, 2023 read with Section 482 of Cr.P.C. seeking quashing of FIR No.127 dated 29.08.2019 under Sections 498-A/323/34/406 of IPC registered at Police Station Division No.4, District Patiala (Annexure P-1) and final report under Section 173 Cr.P.C. (Annexure P-2) as well as order dated 24.03.2022 (Annexure P-3) along with all subsequent proceedings arising therefrom on the basis of compromise dated 14.06.2024 (Annexure P-4).

2. The following order was passed on 20.08.2024 :-

“This second petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 482 of Cr.P.C. seeking quashing of FIR No.127 dated 29.08.2019 under Sections 498-A/323/34/406 of IPC registered at Police Station Division No.4, District Patiala (Annexure P-1) and final report under Section 173 Cr.P.C. (Annexure P-2) as well as order



dated 24.03.2022 (Annexure P-3) along with all subsequent proceedings arising therefrom on the basis of compromise dated 14.06.2024 (Annexure P-4).

Notice of motion for 20.09.2024.

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 Mr. Rajat Singla, Advocate accepts notice for respondent No.2 and files his 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. 20.09.2024.

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.127 dated 29.08.2019 under Sections 498-A/323/34/406 of IPC registered at Police Station Division No.4, District Patiala (Annexure P-



1) and final report under Section 173 Cr.P.C. (Annexure P-2) as well as order dated 24.03.2022 (Annexure P-3) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

September 20, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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