



250 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-43151-2024 (O&M)
Date of Decision: 03.10.2024

BALWINDER SINGH

...Petitioner

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the private parties.

Mr. Rishabh Singla, AAG Punjab.

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.36 dated 21.02.2023 under Section 498-A of IPC and Section 24 of Emigration Act, 1983, registered at Police Station Bhawanigarh, District Sangrur (Annexure P1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 08.08.2024 (Annexure P-2).

2. The following order was passed on 03.09.2024:

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.36 dated 21.02.2023 under Section 498-A of IPC and Section 24 of Emigration Act, 1983, registered at Police Station Bhawanigarh, District Sangrur (Annexure P1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 08.08.2024 (Annexure P-2).

Notice of motion for 03.10.2024.

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. Munish Kamboj, Advocate accepts notice for respondent No.2 and files Power of Attorney, which is taken on record. Copy of the paper book be supplied to them during the course



CRM-M-43151-2024 (O&M)

-2-

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 (CrI.) 1052**, this petition is allowed and FIR No.36 dated 21.02.2023 under Section 498-A of IPC and Section 24 of Emigration Act, 1983, registered at Police Station Bhawanigarh, District Sangrur (Annexure P1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

03.10.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No