

CRM-M-49138-2024 (O&M)

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235 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-49138-2024 (O&M)

Date of Decision: 04.11.2024

JIWAN SINGH AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ravinder Singh, Advocate for
Mr. Mahesh Dheer, Advocate for the petitioners.

Mr. Sandeep Kumar, DAG Punjab.

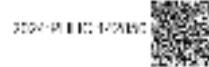
Harpreet Singh Brar J.(Oral)

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (earlier Section 482 of Cr.P.C.) seeking
quashing of FIR No.122 dated 21.11.2018 under Sections 498-A & 506 of
IPC, registered at Police Station Women, Patiala (Annexure P-1) along with
all subsequent proceedings arising therefrom on the basis of statements of
the parties recorded at first motion on 11.10.2023 in the petition under
Section 13- B of Hindu Marriage Act, 1955 (Annexures P-2 & P-3).

2. The following order was passed on 01.10.2024:

*“This petition has been filed under Section 528 of
Bharatiya Nagarik Suraksha Sanhita, 2023 (earlier Section 482
of Cr.P.C.) seeking quashing of FIR No.122 dated 21.11.2018
under Sections 498-A & 506 of IPC, registered at Police Station
Women, Patiala (Annexure P-1) along with all subsequent
proceedings arising therefrom on the basis of statements of the
parties recorded at first motion on 11.10.2023 in the petition
under Section 13- B of Hindu Marriage Act, 1955 (Annexures P-
2 & P-3).*

Notice of motion for 04.11.2024.



At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State. Copy of the paper book be supplied to him during the course of day.

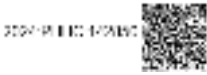
In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial 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.

Learned counsel for the petitioners undertakes to secure presence of respondent No.2 at the time of recording the statements in terms of the compromise.

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.122 dated 21.11.2018 under Sections 498-A & 506 of IPC, registered at Police Station Women,



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

(HARPREET SINGH BRAR)
JUDGE

04.11.2024
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No