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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-44724-2024 (O&M)
Date of decision: 16.10.2024

Kulwinder Singh @ Kulwinder Singh Tiwana and another
...Petitioners

Versus

State of Haryana and another
...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Mr. Ram Kumar Saini, Advocate,
Mr. Ankit Saini, Advocate and
Mr. Kunal Garg, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Ms. Ruby Gupta, Advocate,
Ms. Diksha Arya, Advocate and
Ms. Pranjal P. Chaudhary, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.178 dated
13.07.2022 under Sections 323, 406, 498-A, 506, 34 of the Indian Penal
Code, 1860 (for short 'IPC'), registered at Police Station Ambala Sadar,
District Ambala (Annexure P-1) along with all subsequent proceedings



arising therefrom on the basis of compromise dated 03.08.2024 (Annexure P-2).

2. The following order was passed on 09.09.2024: -

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.178 dated 13.07.2022 under Sections 323, 406, 498-A, 506, 34 of IPC, registered at Police Station Ambala Sadar, District Ambala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 03.08.2024 (Annexure P-2).

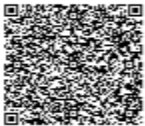
Notice of motion for 16.10.2024.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Ms. Diksha Arya, Advocate accepts notice for respondent No.2 and files her Vakalatnama, which is taken on record. 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.178 dated 13.07.2022 under Sections 323, 406, 498-A, 506, 34 of IPC, registered at Police Station Ambala Sadar, District Ambala and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

[HARPREET SINGH BRAR]
JUDGE

16.10.2024
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No