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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45238-2024 (O&M)
Date of decision: 16.10.2024

Vipin Kumar and others

...Petitioners

Versus

State of U.T. Chandigarh and another

...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Mr. Jagdish Singh Mahal, Advocate
for the petitioners.

Mr. Rajiv Vij, Addl. PP, U.T. Chandigarh.

Respondent No.2 in person.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.0055 dated
21.03.2019 under Sections 406 & 498-A of the Indian Penal Code, 1860
(for short 'IPC'), registered at Women Police Station Chandigarh and all
subsequent proceedings arising therefrom, on the basis of statements
recorded at first motion dated 23.08.2024 (Annexure P-2) in the petition
filed under Section 13-B of Hindu Marriage Act, 1955 before learned



Additional District Judge, Chandigarh.

2. The following order was passed on 12.09.2024: -

“Instant petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita seeking quashing of the FIR No. 0055 dated 21.03.2019, registered under Sections 406, 498-A of the Indian Penal Code at Women Police Station District Chandigarh and all subsequent proceedings arising out of the same, on the basis of statements of first motion dated 23.08.2024 (Annexure P-2) recorded in the petition filed under Section 13-B of Hindu Marriage Act before the learned Additional District Judge, Chandigarh.

Notice of motion returnable for 16.10.2024.

Mr. Rajiv Vij, Addl. PP UT Chandigarh, who is present in the Court, accepts notice on behalf of respondent No. 1-UT Chandigarh and respondent No. 2, is present in person and affirms the factum of compromise.

Service is complete.

In the meantime, Parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of two weeks or any other date convenient to the trial Court/Illaq Magistrate to get their statements recorded regarding the compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 16.10.2024.

A copy of this 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.0055 dated 21.03.2019 under Sections 406 & 498-A of IPC, registered at Women Police Station Chandigarh and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

[HARPREET SINGH BRAR]
JUDGE

16.10.2024
vishnu

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