



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

243

CRM-M-47051-2024

Date of decision:29.10.2024

SURJIT KAUR AND OTHERS

..PETITIONER(S)

Versus

STATE OF PUNJAB AND ANOTHER

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Barjinder Singh, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Ms. Bhupinder Kaur, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.161 dated 17.07.2019, registered at Police Station Lopoke, District Amritsar Rural under Sections 498-A and 406 IPC and all subsequent proceedings arising therefrom in view of the compromise dated 06.09.2024 (Annexure P-2).

2. The following order was passed on 23.09.2024:-

“The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.161 dated 17.07.2019, registered at Police Station Lopoke, District Amritsar Rural under Sections 498-A and 406 IPC, on the basis of a compromise deed (Annexure P-2) executed between the parties.



The parties are alleged to have effected a compromise, as per the compromise deed, dated 06.09.2024 (Annexure P-2).

Notice of motion.

On the asking of the Court, Ms. Himani Arora, AAG, Punjab accepts notice on behalf of respondent No. 1-State and seeks time to file reply.

Ms. Bhupinder Kaur, Advocate, accepts notice on behalf of respondent No. 2 and filed her power of attorney in Court today, which is taken on record and she confirms about factum of compromise between the parties.

Copies of the petition be handed over to learned counsel for the respondents during the course of the day.

The parties are directed to appear before the trial Court/Illaq Magistrate up-to 14.10.2024 for recording of their statements. After recording the statements of all the accused, victim, complainant and injured if any, the trial Court/Illaq Magistrate shall send a report to this Court on the following facts well before the next date of hearing:-

I. Whether a genuine compromise has been arrived at between all the affected parties.

II. Whether the complainant, all the injured/victim and all the accused are party to the compromise?

III Whether during investigation, any additional accused has been added and he/she is a party to the compromise?

IV Whether any accused is a Proclaimed Offender?

V Whether after the registration of the FIR any offence was added or deleted during investigation?

VI Whether investigation is pending against any of the accused or any accused has been declared as innocent”.



Adjourned to 29.10.2024 for awaiting the report of the trial Court.

3. In compliance of the above 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.161 dated 17.07.2019, registered at Police Station Lopoke, District Amritsar Rural under Sections 498-A and 406 IPC and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

29.10.2024

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(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No