



248

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-59417-2024

Date of Decision: 17.12.2024

Ranjit Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Mitul Singh Rana, Advocate
for the petitioners.

Mr. Nitesh Sharma, DAG, Punjab.

None for the complainant.

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.17 dated 11.04.2024 under Sections 498-A, 406, 120-B of the Indian Penal Code, 1860, registered at Police Station NRI, District Hoshiarpur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 26.04.2024 (Annexure P-2).

2. The following order was passed on 28.11.2024:-

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.17 dated 11.04.2024 under Sections 498-A, 406, 120-B of the Indian Penal Code, 1860, registered at Police Station NRI, District Hoshiarpur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 26.04.2024 (Annexure P-2).

Learned counsel for the petitioners submits that the petitioners are currently residing in Italy, therefore, their statements in terms of the compromise (Annexure P-2) may be ordered to be recorded through their Special Power of Attorney.

Notice of motion.

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 course of the day.

Adjourned to 17.12.2024.

In the meanwhile, the parties are directed to appear before learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to learned 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 (Annexure P-2).

As prayed for, learned trial Court/Illaq Magistrate is directed to record statements of the petitioners, in terms of compromise (Annexure P-2) through their Special Power of Attorney Sukhwinder Singh.

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.17 dated 11.04.2024 under Sections 498-A, 406, 120-B of the Indian Penal Code, 1860, registered at Police Station**

NRI, District Hoshiarpur (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

17.12.2024
Parveen kumar

(HARPREET SINGH BRAR)
JUDGE

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