



CRM-M-46765-2024 (O&M)

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243 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46765-2024 (O&M)

Date of decision: 21.10.2024

GAGANDEEP SINGH AND ANOTHER

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mukesh Kumar Bhatnagar, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG Punjab.

Mr. Susheel Gautam, Advocate for

Mr. S.K. Bawa, Advocate for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. Instant petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita seeking quashing of the FIR No. 41 dated 02.03.2021, registered under Sections 406, 498-A of Indian Penal Code at Police Station Fatehgarh Sahib and all subsequent proceedings arising out of the same, on the basis of Compromise dated 05.09.2024 (Annexure P-2).

2. The following order was passed on 20.09.2024:

“Instant petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita seeking quashing of the FIR No. 41 dated 02.03.2021, registered under Sections 406, 498-A of Indian Penal Code at Police Station Fatehgarh Sahib and all subsequent proceedings arising out of the same, on the basis of Compromise dated 05.09.2024 (Annexure P-2).

Notice of motion returnable for 21.10.2024.

Mr. Sandeep Kumar, DAG Punjab, who is present in the Court, accepts notice on behalf of respondent No. 1-State and Mr. Sanjeev Kumar Bawa, Advocate has put in appearance on behalf of respondent No. 2 and filed power of attorney. Same is taken on record. Learned counsel for respondent No. 2 admits 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. 21.10.2024.

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. 41 dated 02.03.2021, registered under Sections 406, 498-A of Indian Penal Code at Police Station Fatehgarh Sahib along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

October 21, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No