



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

CRM-M-48125-2024

Date of Decision: 28.10.2024

Kiran Kumar Farwaha

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Divya Sharma, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Vishajeet Singh Rishi, Advocate
for respondent No.2.

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.141 dated
08.09.2022 under Sections 498-A/406 of IPC registered at Police Station Basti
Jodhewal, District Ludhiana, Punjab, (Annexure P-1) along with all subsequent
proceedings arising therefrom on the basis of compromise dated 19.01.2024
(Annexure P-2).

2. The following order was passed on 27.09.2024 :-

*“This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.141
dated 08.09.2022 under Sections 498-A/406 of IPC registered at
Police Station Basti Jodhewal, District Ludhiana (Punjab) along with
all subsequent proceedings arising therefrom on the basis of
compromise dated 19.01.2024 (Annexure P-2).*

Notice of motion for 28.10.2024.

*At this stage, on the asking of the Court, Mr. Sandeep Kumar,
DAG, Punjab accepts notice on behalf of respondent No.1-State and*

Mr. Vishavjeet Singh Rishi, Advocate accepts notice for respondent No.2 and files his power of attorney and admits to the factum of compromise. 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/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa 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/Illaqa 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.141 dated 08.09.2022 under Sections 498-A/406 of IPC registered at Police Station Basti Jodhewal, District Ludhiana, Punjab, (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

28.10.2024
Parveen kumar

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