

236 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47554-2024
Date of decision: 11.11.2024

RAVI KUMAR AND ANOTHER

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Geeteshwar Saini, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab and
Mr. Harkanwar Jeet Singh, AAG, Punjab.

Mr. R.K. Arya, Advocate for
Mr. Jagdeep Kaur, 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.0042 dated 18.07.2024 under Sections 137(2)/87 of BNS registered at Police Station Purana Shalla, District Gurdaspur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 14.09.2024 (Annexure P-2).

2. The following order was passed on 23.09.2024 :-

“xxx...xxx...xxx

This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.0042 dated 18.07.2024 under Sections 137(2)/87 of BNS registered at Police Station Purana Shalla, District Gurdaspur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 14.09.2024 (Annexure P-2).

Notice of motion for 23.10.2024.



At this stage, on the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab accepts notice on behalf of respondent No.1-State and Ms. Jagdeep Kaur, Advocate accepts notice for respondent No.2 and files her memorandum of appearance and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day. Learned counsel appearing for respondent No.2 is directed to file his power of attorney on or before the next date of hearing.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the 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 i.e. 23.10.2024.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

3. Thereafter, on 23.10.2024, respondent No.2 was directed to produce the victim before learned trial Court/Illaq Magistrate for recording her statement in support of the compromise. In compliance of the aforesaid orders, 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



BNS registered at Police Station Purana Shalla, District Gurdaspur (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

November 11, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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