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236 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-47855-2024 (O&M)

Date of Decision: 12.12.2024

ANIK MOHAMMAD AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kanwar Yuvraj Singh, Advocate
for the petitioners.

Mr. Nitesh Sharma, DAG Punjab.

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.14 dated 09.02.2024 under Sections 498-A, 406, 506, 323 of IPC, registered at Police Station Women, District SAS Nagar (Mohali) (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 09.04.2024 (Annexure P-3).

2. The following order was passed on 24.09.2024:

"This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.14 dated 09.02.2024 under Sections 498-A, 406, 506, 323 of IPC, registered at Police Station Women, District SAS Nagar (Mohali) (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 09.04.2024 (Annexure P-3).

Notice of motion for 24.10.2024.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on



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behalf of respondent No.1-State. Copy of the paper book be supplied to him during the course of day.

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.

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.

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

3. Vide order dated 24.10.2024, private parties were again directed for getting their statements recorded in support of the compromise.

4. 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.

5. 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)**

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RCR (Crl.) 1052, this petition is allowed and FIR No.14 dated 09.02.2024 under Sections 498-A, 406, 506, 323 of IPC, registered at Police Station Women, District SAS Nagar (Mohali) (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)

JUDGE

12.12.2024

Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No