



208 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-50751-2023 (O&amp;M)

Date of decision: 29.05.2024

PALLAV GUPTA

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sharad Mehra, Advocate  
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

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**HARPREET SINGH BRAR J. (ORAL)**

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.036 dated 14.08.2020 (Annexure P-1) under Sections 406/498-A of the Indian Penal Code, 1860 registered at Police Station Women Cell, District Amritsar, and all other consequential proceedings arising there-from, on the ground that the parties have since compromised the matter vide compromise deed dated 26.09.2023 (Annexure P-3).

2. The following order was passed on 23.01.2024:

*“The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.036 dated 14.08.2020 (Annexure P-1) under Sections 406/498-A of the Indian Penal Code, 1860 registered at Police Station Women Cell, District Amritsar, and all other consequential proceedings arising there-from, on the ground that the parties have since compromised the matter vide compromise deed dated 26.09.2023 (Annexure P-3).*

*Learned counsel for the petitioner would contends that the parties have since compromised the matter and have reduced into a written compromise deed dated 26.09.2023 (Annexure P-3). He has relied upon the judgment by the Larger Bench's judgment of*



this Court in “**Kulwinder Singh & Ors. Vs. State of Punjab & Anr.**” [2007 (3) RCR (Criminal) 1052].

Upon notice, Mr. Rishu Mahajan, Advocate accepts notice on behalf of respondent No.2 and states that he would have no objection if the aforesaid FIR is quashed on the basis of the compromise.

List on 29.05.2024.

Meanwhile, the parties are directed to appear before the concerned CJM/Illaq Magistrate/Trial Court on 12.03.2024, or on any other date convenient to the Court, for recording of their statements. The CJM/Illaq Magistrate/Trial Court is directed to record the statements of the parties to its satisfaction qua the genuineness of the compromise and that the same is not a result of any undue influence, coercion or pressure of any kind. Since request has been made that parties are unable to appear before the Court to record their statements, therefore, their statements be recorded through video conferencing as per Video Conferencing Rules (for Courts), 2021.

A report, along-with the statements of the parties, on the following points be sent to this Court before the next date of hearing :

- 1) Whether the settlement/compromised dated 26.09.2023 (Annexure P-2) has been freely entered into between the parties without any undue influence, coercion or pressure of any kind.
- 2) Whether any other criminal cases are pending against the parties.
- 3) Whether any proclamation proceedings are pending against either of the parties.”

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. Learned counsel for the petitioner submits that in view of the law laid down by Hon’ble Supreme Court in **Jayrajsinh Digvijaysinh Rana Vs. State of Gujrat and Another 2012(4) RCR (Crl.) 589** and this Court in **Parmambir Singh Gill Vs. Malkiat Kaur 2010(1) RCR (Crl.) 256**, partial compromise is permissible.

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) RCR (CrI.) 1052**, this petition is allowed and FIR No.036 dated 14.08.2020 (Annexure P-1) under Sections 406/498-A of the Indian Penal Code, 1860 registered at Police Station Women Cell, District Amritsar and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

**May 29, 2024**  
*Ajay Goswami*

**(HARPREET SINGH BRAR)**  
**JUDGE**

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