

2024:PHHC:141678



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

CRM-M-48631-2024

Date of Decision: 28.10.2024

Jaideep Sharma

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Neeraj Kalra, Advocate for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Karan Chaudhary, 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.91 dated 14.09.2018 under Section 498-A of IPC registered at Police Station Women District Patiala, Punjab (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 22.08.2024 (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.0091 dated 14.09.2018 under Section 498-A of IPC registered at Police Station Women District Patiala, Punjab (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 22.08.2024 (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. Karan Choudhary, Advocate accepts notice for respondent No.2 and files his vakalatnama 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/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.

A copy of the 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.91 dated 14.09.2018 under Section 498-A of IPC registered at Police Station Women District Patiala, Punjab (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

28.10.2024

Parveen kumar

(HARPREET SINGH BRAR)
JUDGE

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