

CRM-M-49226-2024 (O&M) -1-

237 IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-49226-2024 (O&M)  
Date of Decision: 04.11.2024

SHIVAM @ SHUBHAM

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. A.S. Gulati, Advocate  
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

Mr. Ankit Chauhan, Advocate  
for respondent No. 2.

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Harpreet Singh Brar J.(Oral)

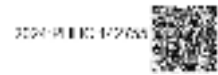
1. This petition has been filed under Section 528 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.173 dated  
25.08.2024 under Sections 74, 78(2), 87, 324(2), 115(2), 126(2), 351(2) of  
Bharatiya Nyaya Sanhita, 2023, registered at Police Station City Rupnagar,  
District Rupnagar (Annexure P-1) and all subsequent proceedings arising  
therefrom on the basis of compromise dated 30.08.2024 (Annexure P-2).

2. The following order was passed on 01.10.2024:

*“This petition has been filed under Section 528 of  
Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of  
FIR No.173 dated 25.08.2024 under Sections 74, 78(2), 87, 324(2),  
115(2), 126(2), 351(2) of Bharatiya Nyaya Sanhita, 2023,  
registered at Police Station City Rupnagar, District Rupnagar  
(Annexure P-1) and all subsequent proceedings arising therefrom  
on the basis of compromise dated 30.08.2024 (Annexure P-2).*

*Notice of motion for 04.11.2024.*

*At this stage, on asking of the Court, Mr. Subhash  
Godara, Addl. A.G., Punjab accepts notice on behalf of respondent  
No.1-State and Mr. Ankit Chauhan, Advocate accepts notice for  
respondent No.2 and files Power of Attorney, which is taken on  
record. 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.173 dated 25.08.2024 under Sections 74, 78(2), 87, 324(2), 115(2), 126(2), 351(2) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station City Rupnagar, District Rupnagar (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

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

**04.11.2024**  
*Ajay Goswami*

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*