

CRM-M-49590-2024 (O&M)

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233 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-49590-2024 (O&M)

Date of Decision: 06.11.2024

GURWINDER SINGH AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Harpal Singh Sidhu, Advocate
for the petitioners.

Ms. Ramta Chowdhary, DAG Punjab.

Mr. A.S. Khosa, Advocate
for respondents No. 2 and 3.

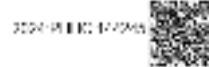
Harpreet Singh Brar J.(Oral)

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.194 dated
30.09.2017 under Sections 406, 498-A, 323, 120-B of IPC, registered at
Police Station City South, District Moga (Annexure P-1) along with all
subsequent proceedings arising therefrom on the basis of compromise dated
17.09.2024 (Annexure P-2).

2. The following order was passed on 04.10.2024:

*“This petition has been filed under Section 528 of
Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of
FIR No.194 dated 30.09.2017 under Sections 406, 498-A, 323,
120-B of IPC, registered at Police Station City South, District
Moga (Annexure P-1) along with all subsequent proceedings
arising therefrom on the basis of compromise dated 17.09.2024
(Annexure P-2).*

Notice of motion for 06.11.2024.



At this stage, on asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent No.1-State and Mr. A.S. Khosa, Advocate accepts notice for respondents No.2 & 3 and files his Vakalatnama, which is taken on record. Copy of the paper book be supplied to them during the course of day.

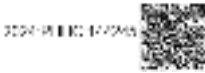
Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/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.194 dated 30.09.2017 under Sections 406, 498-A, 323, 120-B of IPC, registered at



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Police Station City South, District Moga (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

06.11.2024
Ajay Goswami

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