

MANISHA
2024.04.04 11:11
I attest to the accuracy and
authenticity of this
order/judgment

above-said settlement/compromise will promote harmonious, peaceful and cordial relations between them.

Notice of Motion.

Mr. Jashandeep Singh, learned Assistant Advocate General, Punjab and Mr. Manish Bansal, learned Public Prosecutor, UT Chandigarh, who have put in appearance on behalf of respondents No.1-State & No.3- U.T respectively, in pursuance of the copies of the present petition having been sent to both these respondents in advance, accept the notice.

At this stage, Ms. Ridhi Bansal, Advocate, has also appeared. on behalf of respondent No.2 in the present petition and has submitted her Power of Attorney in the Court and the same is taken on the record. She accepts the notice on behalf of the said respondent and also acknowledges the factum of the compromise having been arrived at between the parties.

Accordingly, the private parties are directed to appear before the concerned Illaqa Magistrate/trial Court on 06.12.2023 for recording their statements in respect of the compromise stated to have been arrived at between them. The Illaqa Magistrate/trial Court shall submit the report on or before 03.04.2024 specifying therein the following:-

- 1. the number of the accused arraigned in the FIR and how many of them have appeared and have made statements qua the compromise;*
- 2. whether any accused is absconding or has been declared PO/Proclaimed Person in this case;*
- 3. the name(s) of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*
- 4. the stage of the trial/proceedings;*
- 5. whether the compromise is genuine, voluntary and has been arrived at between the parties out of their free will;*
- 6. whether any other criminal case is pending against any of the accused.*

The Illaqa Magistrate/trial Court is further directed to record the statement of the Investigating Officer regarding the number of the accused as well as of the victims/complainants/aggrieved persons in the subject FIR.

Report of the Illaqa Magistrate/trial Court be awaited for the date fixed.”

3. In compliance of the above 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 No.0021 dated 02.04.2021 registered at Women Police Station Chandigarh, under Section 498-A IPC and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

April 03, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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