

CRM-M-49541-2024
Date of decision: 13.12.2024

PARMINDER PAL AND ANOTHER

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Himani, Advocate for
Mr. Anil Kumar Sephia, Advocate
for the petitioners.

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Gursimran, Advocate for

Mr. Amit Dhawan, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 of BNSS seeking quashing of FIR No.87 dated 12.05.2016 under Sections 406 & 498-A of IPC, registered at Police Station Nakodar, District Jalandhar Rural (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 23.09.2024 (Annexure P-4).

2. The following order was passed on 21.10.2024 :-

“xxx...xxx...xxx

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This petition has been filed under Section 528 of BNSS seeking quashing of FIR No.87 dated 12.05.2016 under Sections 406 & 498-A of IPC, registered at Police Station Nakodar, District Jalandhar Rural (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 23.09.2024 (Annexure P-4).

Notice of motion for 13.12.2024.

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 Ms. Nimrat Kaur, Advocate for Mr. Amit Dhawan,



Advocate accepts notice for respondent No.2. 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 four 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 this 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.87 dated 12.05.2016 under Sections 406 & 498-A of IPC, registered at Police Station Nakodar, District Jalandhar Rural (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

December 13, 2024
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(HARPREET SINGH BRAR)
JUDGE

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