



234

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-53522-2024
Date of decision: 26.11.2024

RAJINDER SINGH ALIAS RAJU

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Aditya Singh, Advocate for
Mr. Anmol Puri, Advocate for the petitioner.
Mr. Nitesh Sharma, DAG, Punjab.
Mr. Deep Inder Singh Walia, Advocate for
Mr. Vishal Singh, 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.106 dated
04.10.2022 under Sections 354, 354-A, 354-B, 354-D, 506, 509 of the Indian
Penal Code, 1860, registered at Police Station Urban Estate, District Patiala
(Annexure P-1) and all subsequent proceedings arising therefrom on the basis
of compromise/affidavit of respondent No.2 dated 30.08.2024 (Annexure P-2).

2. The following order was passed on 25.10.2024 :-

*“This petition has been filed under Section 528 of
Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of
FIR No.106 dated 04.10.2022 under Sections 354, 354-A, 354-B,
354-D, 506, 509 of the Indian Penal Code, 1860, registered at
Police Station Urban Estate, District Patiala (Annexure P-1) and
all subsequent proceedings arising therefrom on the basis of
compromise/affidavit of respondent No.2 dated 30.08.2024
(Annexure P-2).*

Notice of motion for 26.11.2024.

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



Service is complete.

In the meanwhile, the parties are directed to appear before learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to learned 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. A perusal thereof indicates that victim, namely, Dr. Navjot Kaur has not been made party in the present petition, however, she has deposed in terms of the compromise.

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.106 dated 04.10.2022 under Sections 354, 354-A, 354-B, 354-D, 506, 509 of the Indian Penal Code, 1860, registered at Police Station Urban Estate, District Patiala (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

November 26, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE