

CRM-M-50622-2024 (O&M)

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**236 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-50622-2024 (O&M)

Date of Decision: 19.11.2024

MANPREET SINGH

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

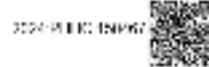
Mr. Davinder Kumar, Advocate
for respondent No. 2.

Harpreet Singh Brar J.(Oral)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking quashing of FIR No.55 dated 01.12.2017 under Sections 120-B, 498-A, 406, 354, 511, 420 of the Indian Penal Code, 1860, registered at Police Station Women, District Bathinda (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 10.09.2024 (Annexure P-2).

2. The following order was passed on 15.10.2024:

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking quashing of FIR No.55 dated 01.12.2017 under Sections 120-B, 498-A, 406, 354, 511, 420 of the Indian Penal Code, 1860, registered at Police Station Women, District Bathinda (Annexure P-1) along with all subsequent proceedings arising



therefrom on the basis of compromise dated 10.09.2024 (Annexure P-2).

Learned counsel for the petitioner, inter alia, contends that though the FIR (supra) was registered against five persons, however, final report under Section 193 of BNSS was filed by the investigating agency only against the petitioner and now the matter has been compromised.

Notice of motion for 19.11.2024.

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. Davinder Kumar, 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.

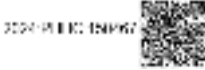
Service is complete.

In the meanwhile, the parties are directed to appear before 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.**



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 (CrI.) 1052, this petition is allowed and FIR No.55 dated 01.12.2017 under Sections 120-B, 498-A, 406, 354, 511, 420 of the Indian Penal Code, 1860, registered at Police Station Women, District Bathinda (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

19.11.2024
Ajay Goswami

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