



233 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54003-2023 (O&M)
Date of decision: 02.08.2024

JOBAN SINGH

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gandhi Lal Aggarwal, Advocate
for Mr. Pardeep Kumar Kapila, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

Mr. P.K.S. Phoolka, Advocate for
Mr. Gaurav Vir Singh Behl, Advocate for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.0003 dated 20.01.2023 under Sections 498-A/506 of IPC registered at Police Station Women Police Station Malerkotla, District Malerkotla (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise.

2. The following order was passed on 02.07.2024:

"This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0003 dated 20.01.2023 under Sections 498-A/506 of IPC registered at Police Station Women Police Station Malerkotla, District Malerkotla (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise.

Notice of motion for 02.08.2024.

At this stage, on the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab accepts notice on behalf of



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respondent No.1-State and Mr. Gaurav Vir Singh Behl, Advocate accepts notice for respondent No.2 and files his power of attorney which is taken on record. Copy of the paper book be supplied to them during the course of day.

Both the parties are ad idem that the direction may be issued to the learned trial Court for recording statements of the parties as a decree of divorce has already been passed between them under Section 13-B of the Hindu Marriage Act.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa 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 i.e. 02.08.2024.

A copy of the order be sent to learned trial Court/Illaqa 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 (CrI.) 1052**, this petition is allowed and FIR No.0003 dated 20.01.2023 under Sections 498-A/506 of IPC registered at Police Station Women Police Station Malerkotla, District

Malerkotla (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

August 02, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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