

CRM-M-51484-2024
Date of decision: 19.11.2024

...PETITIONER

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

Present: Mr. Khushkaran K. Goyal, Advocate
for the petitioner.

Mr. Sanpreet S. Kalra, Advocate
for respondent No.2.

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.177 dated 01.10.2018 under Sections 354-D & 506 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Punjab Agricultural University, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 16.09.2024 (Annexure P-2).

2. Mr. Sanpreet S. Kalra, Advocate has filed his *vakalatnama* on behalf of respondent No.2, which is taken on record. Registry is directed to tag the same at the appropriate place.

3. The following order was passed on 18.10.2024 :-

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.177 dated 01.10.2018 under Sections 354-D & 506 of the Indian Penal Code, 1860 (for short ‘IPC’), registered at Police Station Punjab Agricultural University, District Ludhiana



(Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 16.09.2024 (Annexure P-2).

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. Savpreet Singh Kalra, Advocate accepts notice for respondent No.2 and files Memorandum of Appearance in the Court today, which is taken on record. He undertakes to file his Vakalatnama in the Registry on or before the date fixed. 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 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.”

4. 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.

5. 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.177 dated 01.10.2018 under Sections 354-D & 506 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station

Punjab Agricultural University, District Ludhiana (Annexure P-1) and all



consequential proceedings arising out of the same are quashed, qua the petitioner.

November 19, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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