



CRM-M-53870-2024 (O&M)

-1-

237 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-53870-2024 (O&M)

Date of Decision: 12.12.2024

LOVISH ARORA AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gurmandeep Singh, Advocate for
Mr. K.S. Brar, Advocate for the petitioners.

Mr. Nitesh Sharma, DAG Punjab.

HARPREET SINGH BRAR J.(ORAL)

1. This second petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.197 dated 03.10.2023 under Sections 406/498-A of IPC registered at Police Station City 1, Abohar, District Fazilka (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of settlement/agreement arrived between the parties before the Mediation and Conciliation Centre of this Court dated 22.04.2024 (Annexure P-2).

2. The following order was passed on 29.10.2024:

“This second petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.197 dated 03.10.2023 under Sections 406/498-A of IPC registered at Police Station City 1, Abohar, District Fazilka (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of settlement/agreement arrived between the parties before the Mediation and Conciliation Centre of this Court dated 22.04.2024 (Annexure P-2).

Notice of motion for 12.12.2024.



CRM-M-53870-2024 (O&M)

-2-

At this stage, on the asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent No.1-State. Copy of the paper book be supplied to him during the course of day. Learned counsel for the petitioners undertakes to secure the presence of respondent No.2 before the learned trial Court at the time of recording the statement.

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 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. 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. 197 dated

CRM-M-53870-2024 (O&M)

-3-

03.10.2023 under Sections 406/498-A of IPC registered at Police Station City 1, Abohar, District Fazilka (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)

JUDGE

12.12.2024

Ajay Goswami

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