

CRM-M-54319-2024
Date of decision: 28.11.2024

...PETITIONERS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

Present: Mr. Ilyas Khan, Advocate for the petitioners.
Mr. Nitesh Sharma, DAG, Punjab.
Ms. Jashanpreet, Advocate for
Mr. Yogesh K. Mittal, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. Instant petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita seeking quashing of the FIR No.116 dated
29.06.2024, registered under Sections 406, 498-A of Indian Penal Code at
Police Station Women Police Station, District SAS Nagar (Annexure P-1) and
all subsequent proceedings arising out of the same, on the basis of compromise
dated 11.06.2024 (Annexure P-2).

2. The following order was passed on 29.10.2024 :-

“Instant petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita seeking quashing of the FIR No.116 dated 29.06.2024, registered under Sections 406, 498-A of Indian Penal Code at Police Station Women Police Station, District SAS Nagar and all subsequent proceedings arising out of the same, on the basis of compromise dated 11.06.2024 (Annexure P-2).

Notice of motion for 28.11.2024.

Mr. Sandeep Kumar, DAG Punjab, who is present in the Court, accepts notice on behalf of respondent No. 1-State and Mr. Yogesh K. Mittal, Advocate has put in appearance on behalf of respondent No.2 and filed Power of Attorney. Same is taken on



record. Learned counsel for respondent No.2 admits the factum of compromise.

Service is complete.

In the meantime, Parties are directed to appear before the learned trial Court/Illaqa Magistrate within a period of two weeks or any other date convenient to the trial Court/Illaqa Magistrate to get their statements recorded regarding the compromise and after recording their statements, learned trial Court/Illaqa Magistrate is directed to send report regarding the genuineness of the 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/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 (CrL) 1052*, this petition is allowed and FIR No.116 dated 29.06.2024, registered under Sections 406, 498-A of Indian Penal Code at Police Station Women Police Station, District SAS Nagar (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

November 28, 2024
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(HARPREET SINGH BRAR)
JUDGE

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