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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-55618-2024 (O&M)
Date of decision: 11.12.2024

Sonu @ Sonu Kalyan

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Mr. Sandeep S. Majithia, Advocate
for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Munish Raj Chaudhary. Advocate and
Mr. Vinay Puri, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.41 dated
07.04.2023 under Sections 406 & 498-A of the Indian Penal Code, 1860
(for short 'IPC'), registered at Police Station Women Cell, Jalandhar
(Annexure P-1) along with all subsequent proceedings arising therefrom on

2024:PHHC:165309



the basis of compromise dated 05.03.2024 (Annexure P-2).

2. The following order was passed on 08.11.2024: -

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.41 dated 07.04.2023 under Sections 406/498-A of IPC registered at Police Station Women Cell, Jalandhar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 05.03.2024 (Annexure P-2).

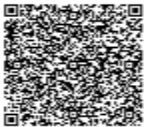
Notice of motion for 11.12.2024.

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 petitioner 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 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. 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.41 dated 07.04.2023 under Sections 406 & 498-A of IPC, registered at Police Station Women Cell, Jalandhar and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

[HARPREET SINGH BRAR]
JUDGE

11.12.2024
vishnu

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No