

CRM-M-55625-2024
Date of decision: 10.12.2024

...PETITIONERS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

Present: Mr. H.S. Bedi, Advocate for the petitioners.

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Akhil Singh Arora, 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
11.09.2024 under Sections 406, 498-A, 34 of the Indian Penal Code, 1860,
registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib
(Annexure P-1) along with all subsequent proceedings arising therefrom on the
basis of compromise dated 11.10.2024 (Annexure P-2) and affidavit of the
complainant (Annexure P-3).

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.177 dated 11.09.2024 under Sections 406, 498-A, 34 of the Indian Penal Code, 1860, registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 11.10.2024 (Annexure P-2) and affidavit of the complainant (Annexure P-3).

Notice of motion for 10.12.2024.

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. Akhil Singh Arora, Advocate accepts notice for



respondent No.2 and files his Vakalatnama, which is taken on record. Copy of the paper book be supplied to them during course of the day.

Service is complete.

In the meanwhile, the parties are directed to appear before learned Illaqa/Duty Magistrate within two weeks from today or any other date convenient to learned Illaqa/Duty Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned Illaqa/Duty 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 this order be sent to learned Illaqa/Duty 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.177 dated 11.09.2024 under Sections 406, 498-A, 34 of the Indian Penal Code, 1860, registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

December 10, 2024
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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |