



243 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55983-2024
Date of decision: 12.12.2024

ABHISHEK SURENDRA KHANNA AND ANOTHER

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ajay Pal Singh, Advocate
for the petitioners (through video conferencing).

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Anil Sharma, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 482 of the Code of Criminal Procedure, 1973) seeking quashing of FIR No.89 dated 24.09.2020 under Sections 406 & 498-A of the Indian Penal Code, 1860, registered at Police Station Phase 8, SAS Nagar (Mohali) (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. The following order was passed on 11.11.2024 :-

"This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (erstwhile Section 482 of the Code of Criminal Procedure, 1973) seeking quashing of FIR No.89 dated 24.09.2020 under Sections 406 & 498-A of the Indian Penal Code, 1860, registered at Police Station Phase 8, SAS Nagar (Mohali) (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 05.11.2024 (Annexure P-2).

Notice of motion for 12.12.2024.

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. Anil Sharma, 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 trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to learned trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa 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 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.89 dated 24.09.2020 under Sections 406 & 498-A of the Indian Penal Code, 1860, registered at Police Station Phase 8, SAS Nagar (Mohali) (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

December 12, 2024
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(HARPREET SINGH BRAR)
JUDGE

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