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**234 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-56829-2024 (O&M)

Date of Decision: 16.12.2024

SIKANDER SINGH AND ANOTHER

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. A.P. Kaushal, Advocate for Mr. R.K. S. Brar, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG Punjab

Mr. Shishpal Kaushik, 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 read with Section 482 of the Code of
Criminal Procedure, 1973 seeking quashing of FIR No.32 dated 07.04.2017
under Sections 498-A & 406 of IPC, registered at Police Station Kotbhai,
District Sri Muktsar Sahib (Annexure P-1) along with all subsequent
proceedings arising therefrom on the basis of compromise dated 28.08.2024
(Annexure P-2).

2. The following order was passed on 14.11.2024:

*“This petition has been filed under Section
528 of Bharatiya Nagarik Suraksha Sanhita, 2023 read
with Section 482 of the Code of Criminal Procedure, 1973
seeking quashing of FIR No.32 dated 07.04.2017 under
Sections 498-A & 406 of IPC, registered at Police Station
Kotbhai, District Sri Muktsar Sahib (Annexure P-1) along
with all subsequent proceedings arising therefrom on the*



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basis of compromise dated 28.08.2024 (Annexure P-2).

Notice of motion.

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. Abhinav Kalia, Advocate accepts notice for respondent No.2 and files Memorandum of Appearance in the Court today, which is taken on record. He undertakes to file his Vakalatnama in the Registry on or before the date fixed. Copy of the paper book be supplied to them during course of the day.

Service is complete.

Adjourned to 16.12.2024.

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**

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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 (CrI.) 1052, this petition is allowed and FIR No.32 dated 07.04.2017 under Sections 498-A & 406 of IPC, registered at Police Station Kotbhai, District Sri Muktsar Sahib (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)

JUDGE

16.12.2024

Ajay Goswami

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