

CRM-M-57574-2024
Date of decision: 16.12.2024

...PETITIONERS

STATE OF UT CHD. AND OTHERS

...RESPONDENTS

Present: Mr. K.K. Saini, Advocate for the petitioners.
Mr. Abhinav Gupta, Addl. P.P., UT Chandigarh.
Mr. Rajiv Gupta, Advocate for respondent No.3.

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.0001 dated
08.01.2021 under Sections 406/498-A of IPC registered at Women Police
Station, Chandigarh (Annexure P-1) along with all subsequent proceedings
arising therefrom on the basis of compromise dated 28.10.2024 (Annexure P-
2).

2. The following order was passed on 19.11.2024 :-

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.0001 dated 08.01.2021 under Sections 406/498-A of IPC registered at Women Police Station, Chandigarh (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 28.10.2024 (Annexure P-2).

Notice of motion for 16.12.2024.

At this stage, on the asking of the Court, Mr. Abhinav Gupta, Addl.P.P., U.T. Chandigarh accepts notice on behalf of respondents No.1 & 2-U.T. Chandigarh and Mr. Rajeev Gupta, Advocate accepts notice for respondent No.3 and files his vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.



Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the 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 the 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.0001 dated 08.01.2021 under Sections 406/498-A of IPC registered at Women Police Station, Chandigarh (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

December 16, 2024
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(HARPREET SINGH BRAR)
JUDGE

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