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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-60267-2024

Date of Decision: 17.12.2024

Goldy Sharma

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ramneek Singh Baweja, Advocate
for the petitioner (Through video conferencing).

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Jagdeep Singh, Advocate for respondent No.2-complainant.

HARPREET SINGH BRAR, J. (ORAL)

1. This second petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita seeking quashing of FIR No.19 dated 09.03.2019 under Sections 406 and 498A of IPC, 1860 (Section 406 of IPC was added later on) registered at Police Station Women Cell, District Patiala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 24.04.2024 (Annexure P-2). First petition was dismissed as withdrawn on 03.07.2024.

2. The following order was passed on 03.12.2024:-

“Instant petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of the FIR No.19 dated 09.03.2019, registered under Sections 406, 498-A of Indian Penal Code (Section 406 IPC added later on) at Police Station Women Cell, Patiala and all subsequent proceedings arising out of the same, on the basis of compromise dated 24.04.2024 (Annexure P-2).

Notice of motion.

Mr. Nitesh Sharma, DAG Punjab, who is present in the Court, accepts notice on behalf of respondent No. 1-State and Mr. Jagdeep

Singh, Advocate has put in appearance on behalf of respondent No. 2 and filed memo of appearance. Same is taken on record. Learned counsel for respondent No. 2 admits the factum of compromise.

Service is complete.

In the meantime, Parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of one week or any other date convenient to the trial Court/Illaq Magistrate to get their statements recorded regarding the compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 17.12.2024.

A copy of this 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.19 dated 09.03.2019 under Section 406 and 498A of IPC, 1860 (Section 406 of IPC was added later on) registered at Police Station Women Cell, District Patiala (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

17.12.2024
Parveen kumar

(HARPREET SINGH BRAR)
JUDGE

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