



CRM-M-56997-2024 (O&M)

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237 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-56997-2024 (O&M)

Date of Decision: 16.12.2024

PRINCE @ PRINCEDEEP SINGH

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rahi Mehra, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

Mr. Kuldeep, Advocate
for respondents No. 2 and 3.

HARPREET SINGH BRAR J.(ORAL)

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.90 dated
06.10.2022 under Sections 363/366-A of IPC registered at Police Station
Sarai Amant Khan, District Tarn Taran (Annexure P-1) along with all
subsequent proceedings arising therefrom on the basis of compromise dated
07.11.2024 (Annexure P-2).

2. The following order was passed on 18.11.2024:

*“This petition has been filed under Section
528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking
quashing of FIR No.90 dated 06.10.2022 under Sections
363/366-A of IPC registered at Police Station Sarai Amant
Khan, District Tarn Taran (Annexure P-1) along with all
subsequent proceedings arising therefrom on the basis of
compromise dated 07.11.2024 (Annexure P-2).*

Notice of motion for 16.12.2024.

*At this stage, on the asking of the Court, Mr.
Sandeep Kumar, DAG, Punjab accepts notice on behalf of*



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respondent No.1-State and Mr. Omkar Chauhan, Advocate accepts notice for respondent No.2 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 (CrI.) 1052**, this petition is allowed and FIR No.90 dated 06.10.2022 under Sections 363/366-A of IPC registered at Police Station Sarai Amant

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Khan, District Tarn Taran (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)

JUDGE

16.12.2024

Ajay Goswami

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>