



CRM-M-57091-2024 (O&M)

-1-

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

CRM-M-57091-2024 (O&M)

Date of Decision: 16.12.2024

GAUTAM GARG

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Shruti Sharma, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

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.35 dated
10.03.2023 under Sections 498-A, 506, 354-A, 34 of the Indian Penal Code,
1860, registered at Police Station Sarabha Nagar, Ludhiana (Annexure P-1)
along with all subsequent proceedings arising therefrom on the basis of
compromise dated 26.03.2024 (Annexure P-3) (wrongly mentioned as
06.04.2024 in the petition).

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.35 dated 10.03.2023 under Sections
498-A, 506, 354-A, 34 of the Indian Penal Code, 1860,
registered at Police Station Sarabha Nagar, Ludhiana
(Annexure P-1) along with all subsequent proceedings
arising therefrom on the basis of compromise dated
26.03.2024 (Annexure P-3) (wrongly mentioned as
06.04.2024 in the petition).*

Notice of motion.



CRM-M-57091-2024 (O&M)

-2-

At this stage, on asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent No.1-State. Copy of the paper book be supplied to him during course of the day.

Adjourned to 16.12.2024.

In the meanwhile, the parties are directed to appear before learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to learned trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq 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.

Learned counsel for the petitioner undertakes to secure presence of respondent No.2 at the time of recording her statement in terms of the compromise (Annexure P-3).

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)**

CRM-M-57091-2024 (O&M)

-3-

RCR (CrI.) 1052, this petition is allowed and FIR No.35 dated 10.03.2023 under Sections 498-A, 506, 354-A, 34 of the Indian Penal Code, 1860, registered at Police Station Sarabha Nagar, Ludhiana (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)

JUDGE

16.12.2024

Ajay Goswami

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