



CRM-M-57429-2024 (O&M)

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111+246 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-57429-2024 (O&M)

Date of Decision: 16.12.2024

SOHIT GUPTA AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. A.S. Sodhi, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Manmeet Singh Bindra, Advocate for respondent No. 2.

HARPREET SINGH BRAR J.(ORAL)

CRM-49397-2024

This is an application under Section 528 of BNSS 2023 seeking permission for placing on record the copy of affidavit dated 04.11.2024 (Annexure P-5) on the file of main case i.e. CRM-M-57429-2024.

Allowed as prayed for.

Copy of affidavit dated 04.11.2024 (Annexure P-5) is taken on record subject to all just exceptions.

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1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.104 dated 31.07.2024 under Sections 406 & 498-A of the Indian Penal Code, 1860, registered at Police Station Shahkot, District Jalandhar (Annexure P-1)



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along with all subsequent proceedings arising therefrom on the basis of compromise dated 01.10.2024 (Annexure P-3).

2. The following order was passed on 20.11.2024:

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.104 dated 31.07.2024 under Sections 406 & 498-A of the Indian Penal Code, 1860, registered at Police Station Shahkot, District Jalandhar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 01.10.2024 (Annexure P-3).

Notice of motion.

At this stage, on asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent No.1-State and Mr. Manmeet Singh Bindra, Advocate accepts notice for respondent No.2 and files his Vakalatnama, which is taken on record. 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/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.

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.104 dated 31.07.2024 under Sections 406 & 498-A of the Indian Penal Code, 1860, registered at Police Station Shahkot, District Jalandhar (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