



233-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-58330-2024
Date of decision: 17.12.2024

RAJIV BHALLA AND ANOTHER
V/S
...PETITIONERS

STATE OF PUNJAB AND ANOTHER
...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Jagjot Singh, Advocate for the petitioners.
Mr. Sandeep Kumar, DAG, Punjab.
Mr. H.S. Sandhu, Advocate for respondent No.2.

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.66 dated
02.05.2022 under Sections 354, 354-A, 506, 509, 34 of the Indian Penal Code,
1860 (for short 'IPC'), registered at Police Station Sirhind, District Fatehgarh
Sahib (Annexure P-1) along with all subsequent proceedings arising therefrom
on the basis of compromise dated 12.11.2024 (Annexure P-5), including the
order dated 02.05.2023 (Annexure P-3) passed by learned Additional Chief
Judicial Magistrate, Fatehgarh Sahib, rejecting 2nd cancellation report dated
22.03.2023 (Annexure P-2) and summoning of the petitioners to face trial
under Sections 354, 354-A, 506, 509, 34 of IPC.

2. The following order was passed on 26.11.2024 :-

*"This petition has been filed under Section 528 of
Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of
FIR No.66 dated 02.05.2022 under Sections 354, 354-A, 506, 509,
34 of the Indian Penal Code, 1860 (for short 'IPC'), registered at
Police Station Sirhind, District Fatehgarh Sahib (Annexure P-1)
along with all subsequent proceedings arising therefrom on the*



basis of compromise dated 12.11.2024 (Annexure P-5), including the order dated 02.05.2023 (Annexure P-3) passed by learned Additional Chief Judicial Magistrate, Fatehgarh Sahib, rejecting 2nd cancellation report dated 22.03.2023 (Annexure P-2) and summoning of the petitioners to face trial under Sections 354, 354-A, 506, 509, 34 of IPC.

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. H.S. Sandhu, 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 17.12.2024.

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.66 dated 02.05.2022 under Sections 354, 354-A, 506,



509, 34 of the Indian Penal Code, 1860 (for short ‘IPC’), registered at Police Station Sirhind, District Fatehgarh Sahib (Annexure P-1), including the order dated 02.05.2023 (Annexure P-3) passed by learned Additional Chief Judicial Magistrate, Fatehgarh Sahib and all consequential proceedings arising out of the same are quashed, qua the petitioners.

December 17, 2024
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(HARPREET SINGH BRAR)
JUDGE

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