

CRM-M-58556-2024
Date of decision: 16.12.2024

...PETITIONER

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

Present: Mr. Chetan Kapoor, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.
Mr. Baljinder Singh, Advocate for
Mr. Manoj Kumar Pahuja, 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.45 dated
17.03.2024 under Sections 406/498-A of IPC registered at Police Station City
Rajpura, District Patiala (Annexure P-1) along with all subsequent proceedings
arising therefrom on the basis of compromise dated 30.04.2024 (Annexure P-
2).
2. The following order was passed on 25.11.2024 :-

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.45 dated 17.03.2024 under Sections 406/498-A of IPC registered at Police Station City Rajpura, District Patiala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 30.04.2024 (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 respondent No.1-State and Mr. Manoj Kumar Pahuja, 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/Illaq Magistrate within two weeks from today or any other date convenient to the 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 the 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.45 dated 17.03.2024 under Sections 406/498-A of IPC registered at Police Station City Rajpura, District Patiala (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

December 16, 2024
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(HARPREET SINGH BRAR)
JUDGE

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