



249

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-59441-2024

Date of Decision: 17.12.2024

Gurpinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Komalpreet Singh, Advocate for
Mr. Gaurav Datta, Advocate for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Saurabh Savara, Advocate for respondent No.2-complainant.

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.69 dated 16.06.2021 under Sections 323 & 498-A of the Indian Penal Code, 1860, registered at Police Station Jhabal, District Tarn Taran (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 02.11.2024 (Annexure P-2).

2. The following order was passed on 28.11.2024:-

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.69 dated 16.06.2021 under Sections 323 & 498-A of the Indian Penal Code, 1860, registered at Police Station Jhabal, District Tarn Taran (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 02.11.2024 (Annexure P-2).

Notice of motion.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Saurabh Savara, Advocate accepts notice for respondent No.2 and files Power of Attorney, 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.69 dated 16.06.2021 under Sections 323 & 498-A of the Indian Penal Code, 1860, registered at Police Station Jhabal, District Tarn Taran (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.**

17.12.2024

Parveen kumar

**(HARPREET SINGH BRAR)
JUDGE**

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No