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

CRM-M-59704-2024

Date of Decision: 17.12.2024

Amritpal Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Manpreet Singh Sidhu, Advocate for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

Ms. Komal Balian, Advocate for respondent No.2-complainant.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 Cr.PC seeking quashing of FIR No.50 dated 05.09.2020 under Sections 406 & 498-A of the Indian Penal Code, 1860, registered at Police Station Women, District Patiala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of decree of divorce with mutual consent passed in the petition under Section 13-B of Hindu Marriage Act, 1955 dated 23.10.2024 (Annexure P-2).

2. The following order was passed on 29.11.2024:-

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.50 dated 05.09.2020 under Sections 406 & 498-A of the Indian Penal Code, 1860, registered at Police Station Women, District Patiala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of decree of divorce with mutual consent passed in the petition under Section 13-B of Hindu Marriage Act, 1955 dated 23.10.2024 (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 Ms. Komal Balain, Advocate accepts notice for respondent No.2 and files her 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 a period of one week 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.50 dated 05.09.2020 under Sections 406 & 498-A of the Indian Penal Code, 1860, registered at Police Station Women, District Patiala (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