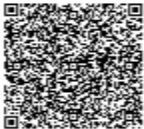


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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-60371-2024 (O&M)
Date of decision: 17.12.2024

Munish Kumar and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Mr. Ankit Bhinchar, Advocate for
Mr. Rajat Dogra, Advocate
for the petitioners.

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Lajpat Rai Sharma, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita seeking quashing of the FIR No.128 dated
14.09.2022 under Sections 498-A & 406 of the Indian Penal Code, 1860 (for
short 'IPC') and Section 4 of Dowry Prohibition Act, 1961 (for short 'DP

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Act') (Section 406 of IPC and Section 4 of DP Act removed vide rapat No.27 dated 25.09.2023), registered at Police Station City Fazilka, District Fazilka and all subsequent proceedings arising therefrom, on the basis of settlement/agreement dated 24.10.2024 (Annexure P-2).

2. The following order was passed on 02.12.2024: -

"Instant petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita seeking quashing of the FIR No. 128 dated 14.09.2022, registered under Sections 498-A, 406 of Indian Penal Code and Section 4 of Dowry Prohibition Act (Section 406 of IPC and Section 4 of Dowry Prohibition Act removed vide rapat No. 27 dated 25.09.2023) at Police Station City Fazilka District Fazilka and all subsequent proceedings arising out of the same, on the basis of settlement/agreement dated 24.10.2024 (Annexure P-2).

Notice of motion returnable for 17.12.2024.

Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of respondent No. 1-State and Mr. Lajpat Rai Sharma, Advocate has put in appearance on behalf of respondent No. 2 and filed power of attorney. Same is taken on record. Learned counsel for respondent No. 2 admits

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the factum of compromise.

Service is complete.

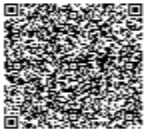
In the meantime, Parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of one week or any other date convenient to the trial Court/Illaq Magistrate to get their statements recorded regarding the compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 17.12.2024.

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***

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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.128 dated 14.09.2022 under Sections 498-A & 406 of IPC and Section 4 of DP Act (Section 406 of IPC and Section 4 of DP Act removed vide rapat No.27 dated 25.09.2023), registered at Police Station City Fazilka, District Fazilka and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

17.12.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

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