



CRM-M-239-2025

294 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-239-2025

Date of decision: 17.03.2025

Danish @ Kureshi

...Petitioner

V/S

State of Punjab and Anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rahul Kumar Adia, Advocate
for the petitioner (through V.C.)

Mr. Rishabh Singla, AAG, Punjab.

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.219 dated 09.09.2023 under Sections 406, 420 of IPC registered at Police Station Model Town, District Hoshiarpur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 30.11.2024 (Annexure P-2).

2. The following order was passed on 09.01.2025 :-

“ This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.219 dated 09.09.2023 under Sections 406/420 of IPC registered at Police Station Model Town, District Hoshiarpur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 30.11.2024 (Annexure P-2).

Notice of motion for 11.02.2025.

At this stage, on the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab with Mr. S.S. Goripuria, DAG, Punjab, accept notice on behalf of respondent No.1-State and Mr. Nirmal Singh, 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. Thereafter, on 11.02.2025, the parties were again directed to appear before the jurisdictional/Illaqa Magistrate within a period of two weeks. In compliance of the aforesaid orders, 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 46*, 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.219 dated 09.09.2023 under Sections 406, 420 of IPC registered at Police Station Model Town, District Hoshiarpur (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

March 17, 2025
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(HARPREET SINGH BRAR)
JUDGE

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