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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARHCRM-M-3550-2025 (O&M)
Date of Decision: 24.02.2025

MANJINDERPAL KAUR SHERGILL

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

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

Mr. Rishabh Singla, AAG Punjab.

Ms. Armanjot Kaur, Advocate with
Mr. Vishal, 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.95 dated 03.08.2023 under Sections 420/406 of IPC and Section 24 of Emigration Act, 1983 registered at Police Station Phase 8, District SAS Nagar (Mohali) (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 24.11.2024 (Annexure P-2).

2. The following order was passed on 23.01.2025:

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.95 dated 03.08.2023 under Sections 420/406 of IPC and Section 24 of Emigration Act, 1983 registered at Police Station Phase 8, District SAS Nagar (Mohali) (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 24.11.2024 (Annexure P-2).

Learned counsel for the petitioner submits that the petitioner is residing abroad and he is not in a position to present physically before the learned trial Court/Illaq Magistrate to record her



statement regarding compromise. Therefore, a request for recording statement of the petitioner through Video Conferencing is made.

Notice of motion for 24.02.2025.

At this stage, on the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Vishal Tartyal, 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.

In view of the above, the prayer made by counsel for the petitioner is allowed. The petitioner is allowed to record her statement through video conference before the learned jurisdictional Magistrate.

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** 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.95 dated 03.08.2023 under Sections 420/406 of IPC and



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SAS Nagar (Mohali) (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

24.02.2025
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No