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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-3649-2025 (O&M)

Date of Decision: 24.03.2025

AJAY SHARMA

...PETITIONER

Versus

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Daljeet Singh Randhawa, Advocate
with Mr. A.S. Manise, Advocate for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

Mr. Ajaypal Singh Aulakh, Advocate
for the respondents No. 2 and 3.

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.28 dated 24.07.2024 under Sections 406/420 of IPC and Section 24 of Emigration Act, 1983 registered at Police Station NRI, District Gurdaspur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 08.11.2024 (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.28 dated 24.07.2024 under Sections 406/420 of IPC and Section 24 of Emigration Act, 1983 registered at Police Station NRI, District Gurdaspur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise deed dated 08.11.2024 (Annexure P-2).

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 Ms. Arshi, Advocate for Mr. Ajaypal Singh Aulakh, Advocate accepts notice for respondents No.2 and 3 and files power of



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attorney 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. Vide order dated 24.02.2025, parties were again directed to get their statements recorded in terms of the compromise.

4. 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.

5. 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 (CrI.) 1052**, this petition is allowed and FIR No.28 dated 24.07.2024 under Sections 406/420 of IPC and Section 24 of Emigration Act, 1983 registered at Police Station NRI, District Gurdaspur (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

24.03.2025

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No