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

CRM-M-7793-2025

Date of decision: 17.03.2025

Manjit Singh

....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ashish Gupta, Advocate and
Mr. Raj Kumar Gupta, Advocate
for the petitioner.

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.191 dated 21.07.2009 under Sections 420/406/201 of IPC registered at Police Station City Rajpura, District Patiala (Annexure P-1) as well as the judgment/order dated 16.01.2023 (Annexure P-2) vide which the petitioner was convicted, on the basis of compromise/affidavit dated 07.03.2024 (Annexures P-3 & P-4) and all subsequent proceedings arising therefrom.

2. The following order was passed on 11.02.2025:

'This petition has been filed under Section 528 BNSS seeking quashing of FIR No.191 dated 21.07.2009 registered under Sections 420, 406, 201 IPC at Police Station City Rajpura, District Patiala (Annexure P-1) along with impugned judgment of conviction and order of sentence dated 16.01.2023 (Annexure P-2) passed by learned Sub-Divisional Judicial Magistrate, Rajpura, on the basis of compromise and affidavit dated 07.03.2024 (Annexure P-3 & P-4) along with all subsequent proceedings arising therefrom.

*Learned counsel for the petitioners has relied upon **Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834**, and seeks quashing of the FIR along with the impugned judgment of conviction and order of sentence dated 16.01.2023 (Annexure P-2) passed by learned Sub-Divisional Judicial Magistrate, Rajpura.*

Notice of motion for 17.03.2025.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1 – State. Copy of the paper book be supplied to counsel opposite during the course of day.

Learned counsel for the petitioner undertakes to secure the presence of respondent No.2, before the learned trial Court/Illaq Magistrate at the time of recording of statement.



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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 i.e. 17.03.2025.

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 '**Ramgopal and another Vs. State of Madhya Pradesh**' 2021 SCC OnLine SC 834, **Narinder Singh and others vs. State of Punjab and another**, (2014) 6 SCC 466, **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.191 dated 21.07.2009 under Sections 420/406/201 of IPC registered at Police Station City Rajpura, District Patiala (Annexure P-1) as well as the judgment/order dated 16.01.2023 (Annexure P-2) vide which the petitioner was convicted along with all subsequent proceedings arising therefrom are quashed/set aside, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

17.03.2025

Neha

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