



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

**CRM-M-46891-2024 (O & M)
Date of decision: 20.01.2025**

ANKIT MITTAL

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Manraj Singh, Advocate for
Mr. Ashir Gulati, Advocate for the petitioner.
Mr. Rishabh Singla, AAG, Punjab.
Ms. Rajinder Kaur, Advocate for
Mr. Tarwn Deor, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 BNSS seeking quashing of FIR No.0028 dated 06.02.2019 under Sections 384 and 506 of IPC, registered at Police Station Mandi Gobindgarh, District Fatehgarh Sahib (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 16.08.2024 (Annexure P-2).

2. The following order was passed on 24.09.2024 :-

"Petitioner Ankit Mittal has filed petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 0028 dated 06.02.2019 under Sections 384 and 506 of IPC, registered at Police Station Mandi Gobindgarh, District Fatehgarh Sahib (Annexure P-1), on the basis of compromise deed dated 16.08.2024 (Anenxure P-2) and to quash all consequential proceedings arising out of above said FIR.

Notice of motion.

On the asking of this Court, Mr. Kewal Singh, Addl. AG, Punjab accepts notice on behalf of State and prays for time to file status report. Learned counsel for petitioner is directed to supply him complete copy of paperbook.



Mr. Tarun Deora, Advocate appeared and filed Power of Attorney (Vakalatnama) on behalf of respondent No. 2, which is taken on record.

Let statements of petitioner and respondent No. 2 be recorded with regard to compromise, on or before 25.10.2024 by learned Illaqa/Duty Magistrate concerned, as per convenience of said Court. In the event of their statements being recorded, Court will send copies of same to this Court before the next date of hearing along with its report i.e,

1. The number of accused in the aforesaid FIR and to report whether any of the accused have been declared proclaimed offender(s) or any such proceedings have been initiated or pending against him/them.

2. Whether compromise entered between the parties is genuine, voluntary without any coercion or undue influence.

3. Statement of IO regarding involvement of petitioner in any other FIR.

4. Status of the trial pending before the Court.

To await the report, list again on 25.11.2024.

Status report be also filed by respondent – State by the adjourned date.”

3. Thereafter on 25.11.2024, the parties were again directed to appear before the jurisdictional/Illaqa Magistrate in terms of aforementioned order. 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 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.0028 dated 06.02.2019 under Sections 384 and 506 of IPC, registered at Police Station Mandi Gobindgarh, District Fatehgarh Sahib

(Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

5. Pending miscellaneous application(s), if any, also stand(s) disposed of.

January 20, 2025

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(HARPREET SINGH BRAR)
JUDGE

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