



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

296

CRM-M-49556-2024

Date of decision: 11.02.2025

PARMJIT KAUR

....Petitioner

Versus

STATE OF PUNJAB AND ANR

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Vijay Lath, Advocate for the petitioner.

Mr. Rishab Singla, AAG, Punjab.

Mr. Lovish Rattan, 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.0138 dated 11.06.2019 (Annexure P-1) under Sections 406 and 420 of IPC, registered at Police Station City Kharar, District S.A.S. Nagar, Mohali, Punjab along with all subsequent proceedings arising therefrom on the basis of compromise dated 27.09.2024 (Annexure P-2).

2. The following order was passed on 03.10.2024:-

“The petitioner seeks quashing of FIR dated 11.06.2019 (Annexure P-1) registered at Police Station, City Kharar, District S.A.S. Nagar and all consequential proceedings emanating therefrom on the basis of compromise dated 27.09.2024 (Annexure P-2) having been effected between the parties.

Notice of motion for 11.02.2025.

At this stage, Mr. Surinder Sharma, Advocate has put in appearance on behalf of respondent No.2 and has filed Vakalatnam, which is taken on record.

The parties are directed to move an application before the trial Court/Illaq Magistrate concerned for getting their statements recorded qua the factum of compromise. As and when any such application is moved and put up before the trial Court/Illaq Magistrate, the trial Court/Illaq



Magistrate shall consider the said application and do the needful for recording the statements of the parties qua the factum of the compromise, on any convenient date. After recording the statements of all the affected parties, and upon getting requisite information from Investigating Officer, the trial Court/Illaqa Magistrate shall submit its report on the basis of the statements so recorded, broadly on the following aspects:

(i) Whether there is any other accused other than the petitioner, arrayed in this petition.

(ii) Whether there is any other complainant or affected/aggrieved party other than the respondents, arrayed in the petition.

(iii) Whether any accused has been declared Proclaimed Offender?

(iv) Whether the compromise in question is found to be a valid compromise and has been effected without there being any kind of influence or coercion? The report be submitted before this Court on or before the next date. ”

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 Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052**, this petition is allowed and FIR No.0138 dated 11.06.2019 (Annexure P-1) under Sections 406 and 420 of IPC, registered at City Kharar, District S.A.S. Nagar, Mohali, Punjab along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

11.02.2025
Amandeep

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