



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

222

CRM-M-58363-2024 (O&M)
Date of decision: 01.03.2025

Jatender Kumar and another

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Saurabh Kaushik, Advocate
for the petitioners.

Proxy Counsel for complainant (respondent No.2)

Mr. Nitesh Sharma, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR No.0031 dated 15.03.2020 registered under Sections 406, 420, 120-B IPC at Police Station Kotwali Nabha, District Patiala, and all other subsequent proceedings arising therefrom in view of the compromise dated 16.05.2024.

2. The following order was passed on 30.01.2025:-

“On request of learned counsel for the petitioners adjourned to 01.03.2025.

In the meantime, Parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of two weeks or any other date convenient to the trial Court/Illaq Magistrate to get their statements recorded regarding the compromise and after recording their statements, learned trial Court/Illaq Magistrate is

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directed to send report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 01.03.2025.

This shall be the responsibility of the petitioners to secure the presence of respondent No. 2 before the learned trial Court/Illaq Magistrate.

A copy of this 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.0031 dated 15.03.2020 registered under Sections 406, 420, 120-B IPC at Police Station Kotwali Nabha, District Patiala and all other subsequent proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

01.03.2025

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No