



309 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-61506-2024

Date of decision: 23.01.2025

PRABHJOT SINGH

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gurmandeep Singh, Advocate for
Mr. S.P.S. Sidhu, Advocate for the petitioner.
Mr. Rishabh Singla, AAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Prayer in this petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 is for quashing of FIR No.166 dated
28.07.2024, under Sections 406 and 420 IPC registered at Police Station Sadar
Amritsar, District Police Commissionerate, Amritsar (Annexure P-1) along
with all the subsequent proceedings arising therefrom, on the basis of
compromise dated 16.10.2024 (Annexure P-2).

2. The following order was passed on 09.12.2024 :-

*“Prayer in this petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 is for quashing of FIR No.166
dated 28.07.2024, under Sections 406 and 420 IPC registered at
Police Station Sadar Amritsar, District Police Commissionerate
Amritsar along with all the subsequent proceedings arising
therefrom, on the basis of compromise dated 16.10.2024 (Annexure
P-2).*

2. *Notice of motion.*

3. *Upon advance notice, Mr. Gurpartap Singh Bhullar, AAG,
Punjab accepts notice on behalf of respondent No.1/State and Ms.
Jasleen Kaur, Advocate has put in appearance on behalf of
respondent No.2 and files her memorandum of appearance
Vakalatnama in Court, which is taken on record. She has admitted
the factum of compromise and supports the prayer made in the
petition.*



4. In view of the above, the parties and the Investigating Officer are directed to appear before the Area Magistrate/Trial Court on 18.12.2024 or on any day thereafter as fixed by the Trial Court, for getting their statements recorded with regard to the compromise. The Area Magistrate/Trial Court shall submit a report on or before the next date of hearing specifying the following:-

1. The number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/P.O. in the case;
 2. The name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;
 3. The stage of trial/proceedings;
 4. If the compromise is genuine, voluntary and out of free will of the parties.
 5. Whether any other criminal case is pending against the accused.
5. Report of the Area Magistrate/Trial Court be awaited for 23.01.2025.”

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 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.166 dated 28.07.2024, under Sections 406 and 420 IPC registered at Police Station Sadar Amritsar, District Police Commissionerate, Amritsar (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

January 23, 2025
manisha

(HARPREET SINGH BRAR)
JUDGE

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