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

CRM-M-22026-2025

Date of decision: 26.05.2025

Lovely Kumar

....Petitioner

Versus

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR****Present:** Mr. Aditya Dassaur, Advocate  
for the petitioner.

Mr. Nitesh Sharma, DAG, Punjab.

Ms. Monika Jangra, 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.359 dated 30.10.2019 under Section 420 of IPC and Section 24 of Emigration Act registered at Police Station Division No.8, Ludhiana, District Ludhiana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise deed and affidavit dated 28.05.2021 (Annexures P-2 & P-3).

2. On 29.04.2025, the following order was passed:-

*“This petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.359 dated 30.10.2019 under Sections 420 of IPC and 24 of Immigration Act registered at Police Station Division No.8, Ludhiana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 28.05.2021 (Annexure P-2).*

*Notice of motion.*

*At this stage, on the asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Ms. Monika Jangra, Advocate accepts notice for respondent No.2 and files her power of attorney, which is taken on record. She admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.*

*Service is complete.*

*Adjourned to 26.05.2025.*

*Learned counsel for the petitioner submits that the petitioner is currently in judicial custody in the present case. As such, prayer for recording his statement either through video conferencing or by obtaining production warrants is made.*



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*Allowed as prayed for.*

*The trial Court is directed to record the statement of the petitioner either through video conferencing or by issuing production warrants.*

*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 recorded their statements regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also intimate whether any PO proceedings are pending against any of the party on or before the date fixed.*

*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 **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.359 dated 30.10.2019 under Section 420 of IPC and Section 24 of Emigration Act registered at Police Station Division No.8, Ludhiana, District Ludhiana (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

**(HARPREET SINGH BRAR)**  
**JUDGE**

**26.05.2025**

*Neha*

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