

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(274)

CRM-M-47842-2021

Date of Decision:- 25.04.2022

Satyapal Singh

...Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Mukesh Yadav, Advocate for the petitioner.

Ms. Ankita Ahuja, AAG, Haryana for the respondent No.1-State.

Mr. Parmod Parmar, Advocate for the respondent No.2.

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**SUVIR SEHGAL, J. (Oral)**

Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.245 dated 18.11.2019, registered for offences under Sections 34, 354-A, 406 and 506 of the Indian Penal Code, 1860, at Police Station Sector 6, Dharuhera, District Rewari, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 29.10.2021, Annexure P-2, arrived at between the parties.

On 15.11.2021, this Court passed the following order:-

*“Heard through video conferencing.*

*Counsel for the petitioner submits that the FIR, Annexure P-1 has been registered by the complainant-respondent No.2 with whom the petitioner was engaged to be married on 09.05.2019. Counsel submits that the allegation(s) levelled in the FIR are that various demands were made by the petitioner and his family members which the private respondent was not in a position to fulfill. Still further, he submits that the allegation regarding indulging*

*in an obscene act levelled against the petitioner is totally false, petitioner is the sole accused against whom challan has been presented and the dispute between the parties has been settled vide compromise, Annexure P-2.*

*Notice of motion.*

*On asking of the Court, Ms. Mahima Yashpal, DAG, Haryana accepts notice on behalf of State-respondent No.1. Mr.Parmod Parmar, Advocate has put in appearance and accepts notice on behalf of respondent No.2. He has admitted the factum of compromise between the parties.*

*The parties and the Investigating Officer are directed to appear before the Illaqa Magistrate/trial Court on 19.01.2022 or on any date within a fortnight thereafter as fixed by the trial Court, for getting their statements recorded with regard to the compromise. The Illaqa 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.*

*Report of the Illaqa Magistrate/trial Court be awaited for 25.04.2022.”*

A report has been received from the Trial Court in compliance with the above reproduced order and its relevant extract is reproduced as under:-

*“1. As per the report of Investigating Officer, Police Station, Sector 6, Dharuhera, Rewari, there were total five accused persons, namely, Satyapal, Dharampal, Reena, Radha and Bhateri. During investigation by DSP Head Quarter on 19.11.2019, the accused Bhateri Devi, Dharampal, Reena and Radha were not found involved in the present case. There is no other case pending against the accused and no accused is P.O. in this case.*

2. *Reetu Chauhan daughter of Kanwar Pal Singh, R/o Niranjani Colony near Bhiwadi Mod Village Maheshwari, District Rewari, Haryana is the complainant and injured/aggrieved in the present case and she had appeared and made her statement in support of the compromise.*
3. *The case is at the stage of evidence of prosecution.*
4. *The compromise is genuine, voluntarily and out of free will of the parties.*
5. *As per the report submitted by the Investigating Officer, P.S. Sector-6, Dharuhera, Rewari, no other criminal case is pending against the accused.”*

FIR is an outcome of a dispute, which is purely private in nature, and has been settled by virtue of compromise, Annexure P-2.

Keeping in view the judgment of the Supreme Court in ***Narinder Singh Versus State of Punjab (2014) 6 SCC 466*** and ***Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543***, this Court is of the view that prolonging the criminal proceedings would not achieve any purpose.

Accordingly, the petition is allowed. FIR No.245 dated 18.11.2019, registered for offences under Sections 34, 354-A, 406 and 506 of the Indian Penal Code, 1860, at Police Station Sector 6, Dharuhera, District Rewari, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

**(SUVIR SEHGAL)**  
**JUDGE**

25.04.2022  
Kamal

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|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |