



250 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-536-2023 (O&M)
Date of decision: 23.07.2024

UMESH KUMAR AND OTHERS

...PETITIONERS

V/S

STATE OF HARYANA AND OTHERS

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Tushar Gautam, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Ashok Tyagi, Advocate
for respondent No. 3.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 0043 dated 02.07.2020, under Sections 323, 34, 406, 498-A and 506 of IPC, registered at Police Station Women West, Gurgram and all consequential proceedings arising therefrom on the basis of compromise and affidavit dated 23.12.2022 (Annexure P-2 to P-4).

2. The following order was passed on 19.05.2023:

“The petitioners- Umesh Kumar, Babu Lal, Harpati, Pardeep and Sushila alias Nisha have filed petition under Section 482 Cr.P.C. for quashing of FIR No. 0043 dated 02.07.2020, under Sections 323, 34, 406, 498-A and 506 of IPC, registered at Police Station Women West, Gurgram and all consequential proceedings arising therefrom on the basis of compromise and affidavit dated 23.12.2022 (annexure P-2 to P-4).



2

Mr. Ashok Tyagi and Mr. Gaurav Tyagi, Advocates has filed vakalatnama on behalf of respondent no.3, which is taken on record.

Status report is already received.

Let the statements of the parties be recorded with regard to the compromise on or before 24.07.2023 before the learned Illaqa/Duty Magistrate, concerned or on any early date convenient to the said Court. In the event of their statements being recorded, the Court will send copies of the same to this Court before the next date of hearing along with its report.

1. The number of accused in the aforesaid FIR and to report whether any of the accused has been declared proclaimed offender or any such proceedings have been initiated or pending against him.

2. Whether the compromise entered between the parties is genuine, voluntarily without any coercion or undue influence.

3. Statement of IO regarding involvement of petitioners in any other FIR.

4. Status of the trial pending before the Court.

To await the report, list again on 22.08.2023.”

3. Vide order dated 09.04.2024, one more opportunity was granted to the private parties to get their statements recorded in support of the compromise.

4. In compliance of the aforesaid orders, 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.

5. 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, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834 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 (CrI.) 1052**, this petition

is allowed and FIR No. 0043 dated 02.07.2020, under Sections 323, 34, 406, 498-A and 506 of IPC, registered at Police Station Women West, Gurgram a and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

July 23, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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