

CRM-M-1129-2024 (O&M)
Date of Decision: 05.02.2024

...Petitioner

V/S

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Deepak Kohli, Advocate for
Mr. J.K. Singla, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Ms. Rakhi, Advocate for Mr. Kashish Garg, Advocate
for respondent No. 2.

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. 494 dated 12.11.2022 registered under Sections 323 and 506 of Indian Penal Code at Police Station Agroha, District Hisar and all subsequent proceedings arising therefrom in view of the compromise dated 05.01.2024 (Annexure P-5).
2. The following order was passed on 10.01.2024:

“The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 494 dated 12.11.2022 under Sections 323, 506 of Indian Penal Code registered at Police Station Agroha, District Hisar(Annexure P-1) on the basis of compromise dated 05.01.2024 (Annexure P-5).

Notice of motion.

At this stage, on the asking of the Court Ms. Geeta Sharma, DAG Haryana accepts notice on behalf of respondent No.1-State and Mr. Kashish Garg, Advocate accepts notice on behalf of respondent No. 2 and files his Vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of

day.

Service is complete.

The parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks or any other date convenient to concerned Court to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the petitioners on or before the date fixed i.e. 05.02.2024.

A copy of the order be sent to the learned trial Court/Illaqa Magistrate through fax for compliance.”

3. In compliance of the above 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, 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 (Crl.) 1052**, this petition is allowed and FIR No. 494 dated 12.11.2022 registered under Sections 323 and 506 of Indian Penal Code at Police Station Agroha, District Hisar and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

05.02.2024
Ajay Goswami

Whether speaking/reasoned
Whether reportable

(HARPREET SINGH BRAR)
JUDGE

Yes/No
Yes/No