

266

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 3893 of 2024
Date of Decision: 27.02.2024

Kunal Patel

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sandeep Arora, Advocate for the petitioner.
Mr. Vikas Bhardwaj, AAG, Haryana.
Mr. G.S.Rawat, Advocate for respondents No. 2 to 4.

HARPREET SINGH BRAR, J.(ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of cross case registered vide DDR No. 24 dated 19.08.2017 under Sections 323, 325, 506, 34 IPC at Police Station Pehowa, District Kurukshetra (Annexure P-2) in case FIR No. 446 dated 18.08.2017 under Sections 323, 506, 34 of Indian Penal Code registered at Police Station Pehowa, District Kurukshetra on the basis of compromise (Annexure P-3).

2. The following order was passed on 24.01.2024:
“The present petition has been filed under Section 482 Cr.P.C. seeking quashing of cross case registered vide DDR No. 24 dated 19.08.2017 under Sections 323, 325, 506, 34 IPC at Police Station Pehowa, District Kurukshetra (Annexure P-2) in case FIR No. 446 dated 18.08.2017 under Sections 323, 506, 34 of Indian Penal Code registered at Police Station Pehowa, District Kurukshetra on the basis of compromise (Annexure

P-3).

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. G.S. Rawat, Advocate accepts notice on behalf of respondents No. 2 to 4 and files his Vakalatnamas 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/Illaq 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/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against the petitioner on or before the date fixed i.e. 27.02.2024.

A copy of the order be sent to the learned trial Court/Illaq 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 cross case registered vide DDR No. 24 dated 19.08.2017 under Sections 323, 325, 506, 34 IPC at Police Station Pehowa, District Kurukshetra (Annexure P-2) in case FIR No. 446 dated 18.08.2017 under Sections 323, 506, 34 of Indian Penal Code registered at

arising out of the same are quashed, qua the petitioner.

27.02.2024

(HARPREET SINGH BRAR)

Rajeev (rvs)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes

No