

CRM-M-3501-2024

266 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-3501-2024 (O&M)

Date of Decision: 28.02.2024

PARVEEN KUMAR

...Petitioner

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Amit Kumar, Advocate for
Mr. Rahul Sidher, Advocate
for the petitioner.
Mr. Vikas Bhardwaj, AAG Haryana.
Mr. Gurinder Singh, 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. 314 dated 18.11.2023 registered under Sections 294, 506 of Indian Penal Code at Police Station Sadar Rattia, District Fatehabad Haryana and all subsequent proceedings arising therefrom in view of the compromise 18.01.2024 (Annexure P-2).

2. The following order was passed on 23.01.2024:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.314 dated 18.11.2023 under Sections 294/506 of IPC registered at Police Station Sadar Rattia, District Fatehabad Haryana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of affidavit/compromise dated 18.01.2024 (Annexure P-2).

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. Gurinder Singh, Advocate accepts notice for respondent No.2 and files his power of attorney and admits to the factum of compromise. Copy of

the paper book be supplied to them during the course of day.

Service is complete.

Now 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 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 any of the party on or before the date fixed i.e. 28.02.2024.

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, 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. 314 dated 18.11.2023 registered under Sections 294, 506 of Indian Penal Code at Police Station Sadar Rattia, District Fatehabad Haryana and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

28.02.2024
Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No