

CRM-M-3914-2024 (O&M)
Date of Decision: 19.02.2024

...Petitioner

V/S

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the parties.

1. In view of the resolution passed by Punjab and Haryana High Court Bar Association, there is no representation on behalf of the parties, however, a perusal of the pleadings would indicate that the present petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 980 dated 25.10.2015 registered under Sections 323, 34 and 506 of Indian Penal Code at Police Station Karnal City District Karnal as well as judgment of conviction dated 01.11.2017 (Annexure P-3) and order of sentence dated 06.11.2017 (Annexure P-4) and all subsequent proceedings arising therefrom in view of the compromise dated 11.01.2024 (Annexure P-5).

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 FIR No. 980 dated 25.10.2015 under Sections 323, 34 and 506 of Indian Penal Code registered at Police Station Karnal City, District Karnal (Annexure P-1) alongwith all consequential proceedings arising therefrom including charges framed under Sections 323, 325 and 506 IPC vide order dated 02.09.2016 (Annexure P-2), judgment of conviction dated 01.11.2017 (Annexure P-3) and order of sentence dated

06.11.2017 (Annexure P-4) on the basis of compromise dated 11.01.2024 (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. Sandeep Singh, Advocate accepts notice on behalf of 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.

The parties are directed to appear before the learned trial one Court/Illaq Magistrate within one week 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. 19.02.2024.

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 FIR No. 980 dated 25.10.2015 registered under Sections 323, 34 and 506 of Indian Penal Code at Police

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Station Karnal City District Karnal as well as judgment of conviction dated 01.11.2017 (Annexure P-3) and order of sentence dated 06.11.2017 (Annexure P-4) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

19.02.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No