

271 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-4188-2024 (O&M)

Date of Decision: 28.02.2024

RAJWINDER SINGH @ RAJWINDER AND ANOTHER

...Petitioners

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mohit, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Sanchit Choudhary, 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. 173 dated 26.07.2021 registered under Sections 420, 406, 120-B of Indian Penal Code at Police Station Bhuna, District Fatehabad (Haryana) and all subsequent proceedings arising therefrom in view of the compromise 19.01.2024 (Annexure P-2).

2. The following order was passed on 29.01.2024:

“The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 173 dated 26.07.2021 under Sections 420, 406, 120-B of Indian Penal Code registered at Police Station Bhuna, District Fatehabad (Haryana) (Annexure P-1), Final report filed under Section 173 Cr.P.C. for offences under Sections 420, 406, 120-B IPC and all consequent proceedings arising therefrom on the basis of compromise dated 19.01.2024 (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. Sanchit Choudhary, Advocate accepts notice on behalf of respondent No. 2 and files his Memorandum of Appearance 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 any of the petitioners on or before the date fixed i.e. 28.02.2024.

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

3. In compliance of the 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. 173 dated 26.07.2021 registered under Sections 420, 406, 120-B of Indian Penal Code at Police Station Bhuna, District Fatehabad (Haryana) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

28.02.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No