

CRM-M-6517-2024 (O&M)
Date of Decision: 15.03.2024

...Petitioner

V/S

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rishhab Garg, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Varshit 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. 0259 dated 04.10.2023 registered under Sections 406 and 420 of Indian Penal Code at Police Station 17/18, District Gurugram and all subsequent proceedings arising therefrom in view of the compromise dated 01.02.2024 (Annexure P-2).

2. The following order was passed on 07.02.2024:

“The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 0259 dated 04.10.2023 registered under Sections 406, 420 of Indian Penal Code at Police Station Sector 17/18, District Gurugram (Annexure P-1) on the basis of compromise dated 01.02.2024 (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. Varshit Garg, Advocate accepts notice on behalf of respondent No. 2 and files his Memorandum of Appearance and admits to the factum of compromise. He undertakes to file his Vakalatnama on the next date of hearing. 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 the petitioner on or before the date fixed i.e. 15.03.2024.

A copy of the order be sent to the learned trial Court/Illaqa 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. Mr. Varshi Garg, Advocate has filed power of attorney on behalf of respondent No. 2. The same is taken on record. Registry is directed to tag the same at the appropriate place.

5. 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**

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(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. 0259 dated 04.10.2023 registered under Sections 406 and 420 of Indian Penal Code at Police Station 17/18, District Gurugram and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

15.03.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No