



219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13245-2023 (O & M)
Date of decision: 13.05.2024

KRISHAN KUMAR

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Neha Dewan, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Ms. Navneet Singh, Advocate for
Mr. Ajay Kripal Singh, Advocate
for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0176 dated 29.04.2022 under Sections 313, 323 and 506 of IPC, registered at Police Station Pehowa, Kurukshetra (Annexure P-1), final report under Section 173 Cr.P.C. (Annexure P-2) along with all subsequent proceedings arising therefrom on the basis of compromise dated 10.03.2023 (Annexure P-6).

2. The following order was passed on 22.05.2023 :-

“xxx

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Keeping in view the fact that the parties have entered into compromise, they are directed to appear before the trial Court/Duty Magistrate on 10.07.2023 or any other date convenient



to the Court, for recording their statements with regard to compromise.

The trial Court/Duty Magistrate is directed to submit a report on or before the next date of hearing as regards authenticity and genuineness of compromise after recording statements of all the parties. The trial Court/Duty Magistrate shall also furnish the following information:

- 1. Whether there is any other accused, apart from the petitioners arrayed in this petition.*
- 2. Whether there is any other complainant or affected/aggrieved party, apart from the respondents arrayed in the petition.*
- 3. Whether the parties are involved in any other criminal case.*
- 4. Whether any of the parties has been declared a proclaimed offender.*

The trial Court/Duty Magistrate shall send his/her report through the Sessions Judge concerned on or before the date fixed, i.e., 28.09.2023.”

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.0176 dated 29.04.2022 under Sections 313, 323 and 506 of IPC, registered at Police Station Pehowa, Kurukshetra (Annexure P-1), final report under Section 173 Cr.P.C. (Annexure P-2) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

5. Pending miscellaneous application(s), if any, also stand(s) disposed of.

May 13, 2024
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(HARPREET SINGH BRAR)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |