



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

256-2

Date of decision: 22.07.2024

1. CRM-M-17562-2021

Inderjeet Singh And OrsPetitioners
Versus

State Of Haryana And Anr ...Respondents

2. CRM-M-19835-2021

Inderjeet SinghPetitioners
Versus

State Of Haryana And Anr ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Pawan Attri, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. N.K. Sharma, Advocate for respondent No.2.

HARPREET SINGH BRAR. J.(Oral)

1. Both the petitions have been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.153 dated 17.02.2017 under Sections 323, 406 and 498-A of IPC, registered at Police Station Karnal Sadar, District Karnal, and for setting aside/quashing of the impugned order dated 20.03.2019, along with all subsequent proceedings arising therefrom on the basis of compromise dated 23.03.2021.

2. The following order was passed on 28.04.2021 in CRM-M-17562-2021:

“By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR, in question and proceedings emanating therefrom on the basis of compormise.

Notice of motion for 07.09.2021.



Mr. Sumit Jain, Addl. A.G., Haryana accepts notice on behalf of respondent – State while Mr. Nitin Kumar Sharma, Advocate has appeared on behalf of respondent No.2.

Counsel for the petitioners is directed to supply copy of the paperbook to counsel opposite during course of the day.

The parties are directed to appear before the Illaqa Magistrate/trial Court for recording their statements qua compromise within a period of 30 days.

The Illaqa Magistrate/trial Court is directed to submit a report on or before the next date of hearing containing the following information:

- 1. Number of persons arrayed as accused.*
- 2. Whether any accused is proclaimed offender.*
- 3. Whether the compromise is genuine, voluntary, and without any coercion or undue influence.”*
- 4. Whether the accused persons are involved in any other FIR or not.*
- 5. The trial Court is also directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR.”*

3. The following order was passed on 05.07.2021 in CRM-M-19835-2021:-

“The petitioner has filed this petition under Section 482 Cr.P.C. for quashing of order dated 20.03.2019 (Annexure P-1), declaring the petitioner a Proclaimed Person and FIR No.153 dated 17.02.2017 lodged under Sections 323, 406, 498-A of the I.P.C., 1860 registered at Police Station Karnal Sadar, District Karnal (Annexure P-2) alongwith all subsequent proceeding arising therefrom.

Learned counsel for the petitioner has submitted that the matter has amicably settled between the parties and further submitted that similar petition bearing No. CRM-M-17562-2021 titled as “Inderjit Singh and Others Vs. State of Punjab and Another” is pending adjudication before this Court for 07.09.2021 in which notice motion has already been issued and the parties were directed to appear before the concerned



Ilaqa Magistrate for getting the statements recorded. It has further been submitted that the parties have got recorded their statements qua compromise so arrived at between them (Annexure P-3).

Notice of motion.

On the asking of this Court, Mr. Luvinder Sofat, Assistant Advocate General, Punjab, accepts notice on behalf of the State.

Adjourned to 07.09.2021.

4. 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.

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 (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 (CrI.) 1052**, these petitions are allowed and FIR No.153 dated 17.02.2017 under Sections 323, 406 and 498-A of IPC, registered at Police Station Karnal Sadar, District Karnal, and impugned order dated 20.03.2019, and all subsequent proceedings arising out of the same are quashed, qua the petitioner(s).

22.07.2024
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(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No