

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

270

CRM-M No. 16004-2023
Date of Decision: 08.02.2024

Shiv Rana.....Petitioner

Versus

State of Haryana and another.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Arshad Ali, Advocate for
Mr. G.C.Shahpuri, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Ms. Shivani, Advocate for
Ms. Meenakshi Bali, Advocate for respondent No. 2.

HARPREET SINGH BRAR, J.(ORAL)

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.401 dated 09.07.2022 registered under Sections 148, 149, 323, 379- A, 379-B and 506 of the Indian Penal Code, 1860 at Police Station City Jagadhri, District Yamuna Nagar and all consequential proceedings arising therefrom on the basis of compromise arrived between the parties.
2. The following order was passed on 13.04.2023:
“The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.401 dated 09.07.2022 registered under Sections 148, 149, 323, 379- A, 379-B and 506 of the Indian Penal Code, 1860 at Police Station City Jagadhri, District Yamuna Nagar and all consequential proceedings arising therefrom on the basis of compromise arrived between the parties.

Notice of motion.

On the asking of the Court, Mr. Munish Sharma, Asstt. A.G., Haryana, who is present in the Court, has accepted notice on behalf of respondent No.1-State.

At this stage, Ms. Meenakshi Bali, Advocate has appeared and accepted notice on behalf of respondent No.2 and filed her power of attorney in the Court which is taken on record.

Learned Counsel for respondent No.2 admits the factum of compromise.

Accordingly, the private parties are directed to appear before the trial Court/Illaqa Magistrate within 15 days from today or any other date convenient to the trial Court/Illaqa Magistrate for recording their statements with regard to compromise/settlement subject to payment of costs of Rs.10,000/- to be deposited with the District Legal Services Authority, concerned. Trial Court/Illaqa Magistrate is directed to submit a report before next date of hearing containing the following information:-

- 1. Number of persons arrayed as accused in FIR.*
- 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 case or not.*
- 5. Current stage of the case.*

List on 26.07.2023.”

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.401 dated 09.07.2022 registered

under Sections 148, 149, 323, 379- A, 379-B and 506 of the Indian Penal Code, 1860 at Police Station City Jagadhri, District Yamuna Nagar and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

08.02.2024

(HARPREET SINGH BRAR)

Rajeev (rvs)

JUDGE

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