

CRM-M-16092-2024
Date of decision: 06.05.2024

...PETITIONERS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr.Ashit Malik, Advocate for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Kapish Singla, 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.100 dated 31.05.2021 under Sections 323/34/406/498-A of IPC registered at Police Station Women Police Station, Ballabgarh, District Faridabad (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of memorandum of settlement dated 07.08.2023 and 15.03.2024 (Annexures P-2 and P-4, respectively).

2. The following order was passed on 03.04.2024 :-

“xxx...

This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.100 dated 31.05.2021 under Sections 323/34/406/498-A of IPC registered at Police Station Women Police Station, Ballabgarh, District Faridabad (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of memorandum of settlement dated 07.08.2023 and 15.03.2024 (Annexures P-2 and P-4, respectively).

Notice of motion for 06.05.2024.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana, Punjab accepts notice on behalf of respondent No.1-State and Mr. Kapish Singla, Advocate accepts notice for

respondent No.2 and files his vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, 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 party on or before the date fixed i.e. 06.05.2024.

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

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.100 dated 31.05.2021 under Sections 323/34/406/498-A of IPC registered at Police Station Women Police Station, Ballabgarh, District Faridabad (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

May 06, 2024
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(i) Whether speaking/reasoned

(ii) Whether reportable

(HARPREET SINGH BRAR)
JUDGE

Yes/No

Yes/No