



232 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16343-2024 (O&M)
Date of decision: 07.05.2024

RAMMEHAR AND ANOTHER

...PETITIONERS

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Alisha Soni, Advocate
for the petitioners.
Mr. Vikas Bhardwaj, AAG Haryana.

Ms. Sonia Bohat, Advocate for
Mr. Ravi Dutt Sharma, 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. 0039 dated 23.02.2024 registered under Section 328/376(2)(n)/379-A/506/509 of Indian Penal Code at Police Station Panipat City, District Panipat and all subsequent proceedings arising therefrom on the basis of compromise dated 27.03.2024 (Annexure P-2).

2. The following order was passed on 04.04.2024:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0039 dated 23.02.2024 under Sections 328/376(2)(n)/379 A/506/509 of IPC registered at Police Station Panipat City, District Panipat (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 27.03.2024 (Annexure P-2).

Learned counsel for the petitioner inter alia



contends that respondent No.2 is major and she has lodged FIR (supra) against the petitioners who are husband and wife. He further submits that there is no medical evidence except bald allegations. It is further contended that perusal of the FIR clearly shows that no offence as alleged in the FIR is made out and now with the intervention of the respectables, the dispute, which is purely private in nature, has been compromised.

Notice of motion for 07.05.2024.

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. Ankit Bhardwaj, Advocate for Mr. Ravi Dutt Sharma, Advocate accepts notice for respondent No.2 and files his power of attorney 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/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, 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 any of the party on or before the date fixed i.e. 07.05.2024.

A copy of the order be sent to 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. 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. 0039 dated 23.02.2024 registered under Section 328/376(2)(n)/379-A/506/509 of Indian Penal Code at Police Station Panipat City, District Panipat and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

May 07, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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