

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(242)

CRM-M-16801-2023
Date of Decision: 02.04.2024

Shrey MehndirattaPetitioners

Versus

State of Haryana and othersRespondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Naveen S. Attri, Advocate, for the petitioners.

Mr. Vikas Malik, AAG, Haryana.

Mr. Hardeep Singh Dhillon, 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. 211 dated 29.09.2021 registered under Sections 323, 406, 498-A-506 IPC, at Women Police Station, Yamuna Nagar (Annexure P-1) along with all the subsequent proceedings arising therefrom in view of the compromise dated 20.02.2023 (Annexure P-2).

2. The following order was passed on 10.04.2023:

“This is a petition under Section 482 Cr.P.C. seeking quashing of FIR No.211 dated 29.09.2021, registered under Sections 323, 406, 498-A and 506 IPC at Women Police Station, District Yamunanagar (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise said to have been entered into between the parties dated 20.02.2023 (Annexure P-3).

Notice of motion.

Ms. Mahima Yashpal, Deputy Advocate General, Haryana, appears and accepts notice on behalf of respondent

No.1-State. Mr. Hardeep Singh Dhillon, Advocate has put in appearance on behalf of respondent No.2 by filing power of attorney and the same is taken on record.

Let the parties appear before the trial Court/Duty Magistrate on 02.05.2023 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. 22.08.2023”

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 On Line 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. 211 dated 29.09.2021 registered under Sections 323, 406, 498-A-506 IPC, at Women Police Station, Yamuna Nagar (Annexure P-1), and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

02.04.2024
anil

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