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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-17793-2023
Date of decision: 30.01.2024

ABHISHAKE

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vishal Jassal, Advocate for the petitioner.
Mr. Vikas Bhardwaj, AAG, Haryana.
Ms. Kirandeep Kaur, Advocate for
Mr. H.S. Maan, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.4 dated 01.05.2022 registered under Sections 379, 420 of Indian Penal Code at Police Station Cyber, District Rohtak (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 21.03.2023 (Annexure P-2) effected between the parties.

2. The following order was passed on 13.04.2023:

“The petitioner seeks quashing of FIR No.4 dated 01.05.2022, registered at Cyber Police Station, Rohtak, under Sections 379, 420 IPC on the basis of compromise.

Notice of motion.

Mr. Himmat Singh, DAG, Haryana, accepts notice on behalf of respondent No.1 and waives service.

Mr. H.S. Maan, Advocate, puts in appearance and accepts notice on behalf of respondent No.2 and waives service.

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

The parties are directed to appear before the trial Court/Illaq Magistrate on 25.05.2023 for getting their statements recorded. After recording the statements of the parties, the trial Court/Illaq Magistrate shall send a report to

this Court regarding genuineness of compromise between them well before the next date of hearing.
Adjourned to 13.07.2023.”

3. There is no representation on behalf of the parties, however, 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. Learned State counsel submits that it is a case of partial compromise.
5. Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in *Parambir Singh Gill Vs. Malkiat Kaur 2010(1) RCR (Crl.) 256 and Jayaraj Singh Rana Vs. State of Gujrat 2012(4) RCR (Crl.) 589, Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466 and Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834* 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.4 dated 01.05.2022 registered under Sections 379, 420 of Indian Penal Code at Police Station Cyber, District Rohtak (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

January 30, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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