



213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17435-2024 (O&M)

Date of decision: 30.05.2024

SAHIL KUMAR

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Dheeraj Narula, Advocate
for the petitioner.
Mr. Vikas Bhardwaj, AAG Haryana.
Ms. Arshdeep Kaur, 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.635 dated 25.11.2021 under Sections 323, 406, 498-A of IPC, registered at Police Station Sirsa City, District Sirsa (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 22.11.2023 (Annexure P-2).

2. The following order was passed on 08.04.2024:

"This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.635 dated 25.11.2021 under Sections 323, 406, 498-A of IPC, registered at Police Station Sirsa City, District Sirsa (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

Learned counsel for the petitioner submits that the petitioner and respondent No.2 are currently residing at Vishakha Patnam (Andhra Pradesh) and they will be on leave from 02.05.2024 to 08.05.2024 and as such, they be permitted to record their respective statements before the concerned Court between the aforesaid days.

Notice of motion for 30.05.2024.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent

No.1-State and Ms. Arshdeep Kaur, Advocate accepts notice for respondent No.2 and files her Vakalatnama, which is taken on record. 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 from 02.05.2024 to 08.05.2024, as prayed for, 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. 30.05.2024.

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 (CrI.) 1052**, this petition is allowed and FIR No.635 dated 25.11.2021 under Sections 323, 406, 498-A of IPC, registered at Police Station Sirsa City, District Sirsa and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

May 30, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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