



218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17545-2024
Date of decision: 10.05.2024

JATIN BUDHIRAJA AND OTHERS

...PETITIONERS

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Shivam Kaushik, Advocate for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Ms. Priya Sharma, Advocate for

Mr. Himanshu Kaushal, 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.713 dated 02.12.2022 under Sections 323, 354, 354-A, 406, 506, 509, 120-B of IPC, registered at Police Station Ambala Cantt. (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. The following order was passed on 09.04.2024 :-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.713 dated 02.12.2022 under Sections 323, 354, 354-A, 406, 506, 509, 120-B of IPC, registered at Police Station Ambala Cantt. (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

Notice of motion for 10.05.2024.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State. Copy of the paper book be supplied to her during the course of day.

Learned counsel for the petitioners undertakes to secure presence of respondent No.2 at the time of recording the statement.

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. 10.05.2024.

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.713 dated 02.12.2022 under Sections 323, 354, 354-A, 406, 506, 509, 120-B of IPC, registered at Police Station Ambala Cantt. (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

May 10, 2024
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(HARPREET SINGH BRAR)
JUDGE

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