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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18415-2024 (O&M)
Date of decision: 17.05.2024

Rakesh Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Mr. Mohit Chaudhary, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Vaibhav Bhargav, Advocate
for respondents No.2 & 3.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.91 dated 01.03.2024 under Sections 354 & 506 of the Indian Penal Code, 1860 (for short 'IPC') and Section 8 of the Protection of Children from Sexual Offences Act, 2012 (for short 'the Act'), registered at Police Station Ram Nagar, Karnal (Annexure P-1) and all subsequent proceedings arising therefrom, on the



basis of compromise and affidavit dated 03.04.2024 (Annexures P-2 & P-3).

2. The following order was passed on 16.04.2024 : -

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.91 dated 01.03.2024 under Sections 354/506 of IPC and Section 8 of POCSO Act, registered at Police Station Ram Nagar, Karnal (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise and affidavit dated 03.04.2024 (Annexures P-2 & P-3).

Notice of motion for 17.05.2024.

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. Vaibhav Bhargav, Advocate accepts notice for respondents No.2 & 3 and files his vakalatnama 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/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. 17.05.2024.



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.91 dated 01.03.2024 under Sections 354 & 506 of IPC and Section 8 of the Act, registered at Police Station Ram Nagar, Karnal and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

[HARPREET SINGH BRAR]
JUDGE

17.05.2024
vishnu

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