

221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19550-2024 (O&M)
Date of decision: 23.05.2024

RITESH GARG

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sumit Saddi, Advocate
for the petitioner.
Mr. Vikas Bhardwaj, AAG Haryana.
Mr. Atul Gaur, 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. 70 dated 29.11.2018, registered under Sections 323, 498-A, 406 and 506 of the Indian Penal Code at Women Police Station Panchkula, District Panchkula and all subsequent proceedings arising out of the same, on the basis of compromise dated 09.04.2024 (Annexure P-2).

2. The following order was passed on 22.04.2024:

“Instant petition has been filed under Section 482 of Cr.P.C. seeking quashing of the FIR No. 70 dated 29.11.2018, registered under Sections 323, 498-A, 406 and 506 of the Indian Penal Code at Women Police Station Panchkula, District Panchkula and all subsequent proceedings arising out of the same, on the basis of compromise dated 09.04.2024 (Annexure P-2).

Notice of motion.

Ms. Geeta Sharma, DAG Haryana, who is present in the Court, accepts notice on behalf of respondent No. 1-State. In the meantime, Parties are directed to appear before the learned trial Court/Illaq Magistrate within a period of two weeks or any other date convenient to the trial Court/Illaq Magistrate to get their statements recorded regarding the compromise and after recording

their statements, learned trial Court/Illaqa Magistrate is directed to send report regarding the genuineness of the compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 23.05.2024.

A copy of this order be sent to learned trial Court/Illaqa Magistrate through fax for compliance.

Counsel for the petitioner undertakes to secure the presence of respondent No. 2 before the trial Court at the time of recording of the statement.”

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. 70 dated 29.11.2018, registered under Sections 323, 498-A, 406 and 506 of the Indian Penal Code at Women Police Station Panchkula, District Panchkula and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

May 23, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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