



221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19913-2024 (O&M)

Date of decision: 10.05.2024

RAJESH KHAN AND ANOTHER

...PETITIONERS

V/S

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Arjun Dhingra, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Ms. Palkin Bhardwaj, 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. 118 dated 26.07.2020 registered under Sections 323, 34, 377, 406, 498-A and 506 of Indian Penal Code (Section 377 of Indian Penal Code deleted later on) at Police Station Women Police Station NIT District Faridabad and all subsequent proceedings arising therefrom on the basis of compromise dated 15.04.2024. (Annexure P-2 and P-3).

2. The following order was passed on 23.04.2024:

“The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0118 dated 26.07.2020 under Sections 323/34/377/406/498-A/506 of IPC (Section 377 of IPC deleted later on) registered at Police Station Women Police Station NIT District Faridabad (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 15.04.2024 (Annexures P-2 & P-3).

Notice of motion for 10.05.2024.



At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Ms. Palkin Bhardwaj, Advocate accepts notice for respondents No.2 & 3 and files her 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/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, 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. 10.05.2024.

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. 118 dated 26.07.2020 registered under Sections 323, 34, 377, 406, 498-A and 506 of Indian Penal Code (Section 377 of Indian Penal Code deleted later on) at Police Station Women



Police Station NIT District Faridabad and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

May 10, 2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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