



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

263

CRM-M-21699-2023 (O&M)
Date of decision: 30.05.2024

HARJIT SINGH ALIAS HARJEET SINGH SANGHA

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Vimal Kumar Gupta, Advocate
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Sanyam Khetarpal, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J.

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.171 dated 05.12.2019, under Sections 376, 506 IPC registered at Women Police Station, Sector-5, Panchkula (Annexure P-1), on the basis of compromise deed dated 25.04.2023 (Annexure P-3) between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of respondent No.2 due to misunderstanding and misconception between the parties. He further contends that the matter has been settled between the petitioner and respondent No.2 and compromise deed dated 25.04.2023 (Annexure P-3) has been executed between them, as such respondent No.2 does not want to take any action in the present FIR.



[3] Learned counsel appearing on behalf of respondent No.2 has confirmed the factum of compromise between the parties.

[4] Learned State counsel has not raised any objection regarding the acceptance of the present petition. She has informed that though in the status report it has been mentioned that complaint No.553 PW dated 25.05.2021 is alleged to have been submitted by the complainant but no FIR has been registered against the petitioner on the basis of the said complaint.

[5] On 12.03.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[6] As per the report dated 29.04.2024 received from the Additional District & Sessions Judge, Panchkula forwarded through the office of District and Sessions Judge, Panchkula, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as 'Proclaimed Offender'.

[7] Keeping in view the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052**, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No.171 dated 05.12.2019, under Sections 376, 506 IPC registered at Women Police Station, Sector-5, Panchkula (Annexure P-1) and all the subsequent proceedings emanating



therefrom are ordered to be quashed, qua the petitioner.

[9] However, the respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise (Annexure P-3) are violated.

[10] Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

30.05.2024

P.Bhatt

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