



262 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26006-2024
Date of decision: 04.07.2024

MONIKA RANA AND ANOTHER

...PETITIONERS

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sahej Mahajan, Advocate for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Chirag Suri, 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.365 dated 25.05.2022 under Sections 323, 506, 354, 452 of IPC, registered at Police Station Sector 32-33, Karnal (Annexure P-1) and the order dated 21.10.2023 (Annexure P-4), vide which bail of the petitioners was cancelled along with all subsequent proceedings arising therefrom, including the final report under Section 173 Cr.P.C. presented under Sections 323 & 506 of IPC (Annexure P-2), on the basis of compromise dated 02.03.2024 (Annexure P-3).

2. The following order was passed on 22.05.2024 :-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.365 dated 25.05.2022 under Sections 323, 506, 354, 452 of IPC, registered at Police Station Sector 32-33, Karnal (Annexure P-1) and the order dated 21.10.2023 (Annexure P-4), vide which bail of the petitioners was cancelled along with all subsequent proceedings arising therefrom, including the final report under Section 173 Cr.P.C. presented under



Sections 323 & 506 of IPC (Annexure P-2), on the basis of compromise dated 02.03.2024 (Annexure P-3).

Notice of motion for 04.07.2024.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Chirag Suri, Advocate accepts notice for respondent No.2 and files Power of Attorney, which is taken on record. Copy of the paper book be supplied to them during the course of day.

Service is complete.

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.

In the meantime, operation of the impugned order dated 21.10.2023 (Annexure P-4) shall remain stayed.

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.365 dated 25.05.2022 under Sections 323, 506, 354, 452 of IPC, registered at Police Station Sector 32-33, Karnal (Annexure P-1) and the order dated 21.10.2023 (Annexure P-4), vide which bail of the



petitioners was cancelled along with all subsequent proceedings arising therefrom, including the final report under Section 173 Cr.P.C. presented under Sections 323 & 506 of IPC (Annexure P-2) are quashed, qua the petitioners.

July 04, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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