



253      IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-25081-2024  
Date of decision: 03.07.2024

ROHIT CHAUDHARY & OTHERS

...PETITIONERS

V/S

STATE OF HARYANA AND OTHERS

...RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Sandeep Sharma, Advocate for  
Mr. Namit Khurana, Advocate  
for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

None for respondent Nos.2 to 4.

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**HARPREET SINGH BRAR J. (ORAL)**

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.261 dated 04.05.2022 under Sections 498-A, 323, 354, 376(2)(n), 377, 506, 120-B of IPC, registered at Police Station Jagadhri City, District Yamuna Nagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 28.03.2024 (Annexure P-2).

2. The following order was passed on 18.05.2024 :-

*"This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.261 dated 04.05.2022 under Sections 498-A, 323, 354, 376(2)(n), 377, 506, 120-B of IPC, registered at Police Station Jagadhri City, District Yamuna Nagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 28.03.2024 (Annexure P-2).*

*Learned counsel for the petitioner, inter alia, contends that after registration of FIR (supra), respondent No.2 has effected a compromise with the petitioners and the parties have settled their dispute amicably. Learned counsel for the petitioners relies upon a*



*judgment of the Hon'ble Supreme Court in **Kapil Gupta Vs. State of N.C.T. of Delhi and another, 2022 (4) RCR (Crl.) 497**, to contend that FIR under Section 376 of IPC can be quashed on the basis of compromise. Learned counsel has further relied upon a judgment of this Court in **Karan Sharma Vs. State of Haryana and another, 2021(1) Law Herald 149** and contends that once the parties have compromised the matter and decided to live in peace, no useful purpose will be served in allowing the criminal proceedings to continue.*

*Notice of motion for 03.07.2024.*

*At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Ms. Nancy Vashistha, Advocate accepts notice for respondents No.2 to 4 and files Memorandum of Appearance, which is taken on record. Copy of the paper book be supplied to them during the course of day. Learned counsel for respondents No.2 to 4 undertakes to file Vakalatnama in the Registry before the next date of hearing.*

*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.*

*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.261 dated 04.05.2022 under Sections 498-A, 323, 354, 376(2)(n), 377, 506, 120-B of IPC, registered at Police Station Jagadhri City, District Yamuna Nagar (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

July 03, 2024  
manisha

(HARPREET SINGH BRAR)  
JUDGE

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