



261 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25891-2024
Date of decision: 04.07.2024

MOHIT KUMAR AND OTHERS

...PETITIONERS

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Naresh Kumar Khepar, Advocate for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Mahipal Singh Yadav, 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.205 dated 28.05.2021 under Sections 34, 323, 354, 354-A, 406, 498-A, 506 of IPC (Sections 354 & 354-A of IPC deleted during the inquiry), registered at Police Station Badshahpur, District Gurugram (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 10.04.2024 (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.205 dated 28.05.2021 under Sections 34, 323, 354, 354-A, 406, 498-A, 506 of IPC (Sections 354 & 354-A of IPC deleted during the inquiry), registered at Police Station Badshahpur, District Gurugram (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 10.04.2024 (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. Mahipal Singh Yadav, Advocate accepts notice for



respondent No.2 and files his Vakalatnama, which is taken on record. 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.

A copy of the order be sent to learned trial Court/Illaqa 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.205 dated 28.05.2021 under Sections 34, 323, 354, 354-A, 406, 498-A, 506 of IPC (Sections 354 & 354-A of IPC deleted during the inquiry), registered at Police Station Badshahpur, District Gurugram (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

(HARPREET SINGH BRAR)

JUDGE

July 04, 2024

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- (i) Whether speaking/reasoned
- (ii) Whether reportable

Yes/No
Yes/No