

CRM-M-26914-2023
Date of decision: 16.04.2024

...PETITIONERS

V/S

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sumit, Advocate for
Mr. G.S. Sandhu, Advocate for the petitioners.
Mr. Vikas Bhardwaj, AAG, Haryana.
Mr. Dinesh Maurya, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

This is a petition for quashing FIR No.0837 dated 21.10.2021 under Sections 498-A IPC (Sections 406, 506 IPC added later on) registered at Police Station, Karnal City, District Karnal, alongwith consequent proceedings, on the basis of compromise/joint statement dated 08.05.2023 (Anenxure P-2)

2. The following order was passed on 26.05.2023 :-

“This is a petition for quashing FIR No.0837 dated 21.10.2021 under Sections 498-A IPC (Sections 406, 506 IPC added later on) registered at Police Station, Karnal City, District Karnal, alongwith consequent proceedings, on the basis of compromise/joint statement dated 08.05.2023 (Anenxure P-2).

Notice of motion.

Ms. Mahima Yashpal, Deputy Advocate General, Haryana, accepts notice on behalf of respondent No.1-State. Mr. Dinesh Maurya, Advocate, accepts notice on behalf of respondent No.2.

Let the parties appear before the trial Court/Duty Magistrate on 12.07.2023 or any other date convenient to the Court for recording their statements with regard to compromise.

*The trial Court/Duty Magistrate is directed to submit
a report on or before the next date of hearing as regards*

authenticity and genuineness of compromise after recording statements of all the parties. The trial Court/Duty Magistrate shall also furnish the following information:

1. *Whether there is any other accused, apart from the petitioners arrayed in this petition.*
2. *Whether there is any other complainant or affected/aggrieved party, apart from the respondents arrayed in the petition.*
3. *Whether the parties are involved in any other criminal case.*
4. *Whether any of the parties has been declared a proclaimed offender.*

The trial Court/Duty Magistrate shall send his/her report through the Sessions Judge concerned on or before the date fixed, i.e., 31.10.2023.”

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.0837 dated 21.10.2021 under Sections 498-A IPC (Sections 406, 506 IPC added later on) registered at Police Station, Karnal City, District Karnal and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

April 16, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

- (i) Whether speaking/reasonedYes/No
- (ii) Whether reportableYes/No