



269 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28904-2024 (O&M)
Date of decision: 09.07.2024

KULDEEP SINGH AND OTHERS

...PETITIONERS

V/S

STATE OF HARYANA AND ANOTHER

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Pankaj Katia, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Amit Kaushik, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.62 dated 28.07.2017 under Sections 498-A, 323, 34 of Indian Penal Code registered at Police Station Mansa Devi, Panchkula (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 27.05.2024 (Annexure P-2).

2. The following order was passed on 31.05.2024:

"This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.62 dated 28.07.2017 under Sections 498-A, 323, 34 of IPC registered at Police Station Mansa Devi, Panchkula (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 27.05.2024 (Annexure P-2).

Notice of motion.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Amit Kaushik, Advocate accepts notice for respondent No.2 and files his power of attorney and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

Adjourned to 09.07.2024.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within four weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get recorded their statements 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 i.e. 09.07.2024.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

3. In compliance of the aforesaid 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. The report further indicates that petitioners No. 2 and 3 namely Mohinder Singh and Rajinder Singh have already been already declared as innocent during investigation.
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 (CrI.) 1052**, this petition is allowed and FIR No.62 dated 28.07.2017 under Sections 498-A, 323, 34 of Indian Penal Code registered at Police Station Mansa Devi, Panchkula (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioner No. 1 only as petitioners No. 2 and 3 have already been declared innocent during the course of investigation.

(HARPREET SINGH BRAR)
JUDGE

July 09, 2024

Ajay Goswami

AJAY GOSWAMI
2024.07.10 12:23
I attest to the accuracy and
authenticity of this order/judgment

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

Yes/No
Yes/No