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**IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH****CRM-M-31300-2024 (O&M)
Date of Decision: 09.09.2024****ANKUR GARG****...Petitioner****V/S****STATE OF HARYANA AND ANOTHER****...Respondents****CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR****Present:** Mr. Jagdeep Singh Rana, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Rajesh Bansal, 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.309 dated 15.06.2022 under Sections 323/406/498-A of IPC registered at Police Station Sector 29, Industrial Area, Panipat, (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of settlement dated 14.05.2024 (Annexure P-2).

2. The following order was passed on 04.07.2024:

"This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.309 dated 15.06.2022 under Sections 323/406/498-A of IPC registered at Police Station Sector 29, Industrial Area, Panipat, (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of settlement dated 14.05.2024 (Annexure P-2).

Learned counsel for the petitioner has handed over the cheque bearing No.017871 dated 02.07.2024 amounting to Rs.3,50,000/- (Rupees Three Lakh Fifty Thousand Only) in the name of respondent No.2 i.e. Shalu, to respondent No.2 who is present in the Court today. Photo copy of the same has been produced and the same is taken on record.

Notice of motion for 05.08.2024.



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. Rajesh Bansal, 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.

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 i.e. 05.08.2024.

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

3. Vide order dated 05.08.2024, private parties were again directed to appear before the jurisdictional Magistrate and get their statements recorded in support of the compromise.

4. In compliance of the aforesaid orders, 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.

5. A demand draft of Rs. 3.5 lac issued in favour of respondent No. 2 has been handed over to learned counsel for respondent No.2 in the Court itself and photocopy of the same has been retained in case file. Registry is directed to tag the same at the appropriate place. Both the counsels for the private parties undertake that petitioner as well as respondent No. 2 will abide by the terms and conditions of the compromise and petitioner will pay the settled balance



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6. 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.309 dated 15.06.2022 under Sections 323/406/498-A of IPC registered at Police Station Sector 29, Industrial Area, Panipat, (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

09.09.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No