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CRM-M-29298-2024

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Date of decision: August 21, 2024

ROHIT ALIAS ROHIT GAUTAM

....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present:- Mr. Sukhdeep Singh, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Pal Singh, Advocate for respondent no.2.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.492 dated 16.08.2021 registered at Police Station Ghraunda, District Karnal under Sections 498-A, 406, 323 and 506 of IPC, 1860 on the basis of compromise dated 27.05.2024 (Annexure P-2).

2. The following order was passed on 04.06.2024:

“The petitioner through instant petition, on the basis of compromise is seeking quashing of FIR No.492 dated 16.08.2021 registered at Police Station Ghraunda, District Karnal under Sections 498-A, 406, 323 and 506 of IPC, 1860.

Notice of motion.

Ms. Mamta Singla Talwar, DAG, Haryana and Mr. Pal Singh, Advocate accept notice on behalf of respondent No. 1 State and

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respondent No. 2 respectively. Memorandum of Appearance of respondent No.2 is taken on record.

*Parties may appear before learned trial Court/Illaq Magistrate concerned on **18.07.2024** or any other date convenient to said Court and get their statements recorded with regard to compromise. In the event of their statements being recorded, the Court will send copies of same to this Court before next date of hearing alongwith its report disclosing:*

- i) genuineness and voluntary nature of compromise ;*
- ii) how many persons are nominated in FIR/police report;*
- iii) how many accused/victims have out of total accused/victims have entered into compromise;*
- v) if there is partial compromise, what is role of the accused;*
- v) what is stage of trial, if accused already convicted, whether appeal is pending in Appellate Court;*
- vi) whether all accused/petitioners are appearing before the Court or are on bail; and*
- vii) whether any other proceeding is pending against the accused/petitioner.*

*Adjourned to **21.08.2024.**”*

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.

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

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allowed and FIR No.492 dated 16.08.2021 registered at Police Station Ghraunda,
District Karnal under Sections 498-A, 406, 323 and 506 of IPC, 1860 along with
all subsequent proceedings arising of the same are quashed, qua the petitioner.

August 21, 2024
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(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable:	No