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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30340-2024
Date of decision: 30.07.2024

RITIK DUGGAL

V/S

...PETITIONER

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR
Present: Mr. Ashit Malik, Advocate and
Mr. Sagar Aggarwal, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Gautam Kumar, 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.351 dated 02.08.2023 registered under Sections 406, 498-A and 34 of IPC at Police Station Kheripul, District Faridabad (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 15.05.2024 (Annexure P-2).

2. The following order was passed on 21.06.2024 :-

“xxx--xxx--xxx

Main Case

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR along with all the subsequent proceedings arising therefrom, on the basis of compromise.

Notice of motion.

Upon advance notice, Mr. Saurabh Girdhar, AAG, Haryana accepts notice on behalf of respondent No.1/State and Mr. Gautam Kumar, Advocate puts in appearance on behalf of respondent No.2 and files his Power of Attorney in Court, which is taken on record.



However, counsel for the petitioner and respondent No.2 submit that both petitioner and respondent No.2(complainant) are presently residing at Kuala Lumpur, Malaysia and therefore, they request that their respective statement be recorded through video conferencing before the Illaqa Magistrate/trial Court.

Allowed as prayed for.

In view of the above, the parties are permitted to appear through video conferencing before the Illaqa Magistrate/trial Court and get recorded their respective statement with regard to the compromise on 05.07.2024, subject to their identification by their respective counsel before the Illaqa Magistrate/trial Court. The Illaqa Magistrate/trial Court shall submit the report on or before the next date of hearing. The report be forwarded to this Court specifying the followings:-

- 1. The number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/P.O. in the case;*
- 2. the name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;*
- 3. the stage of trial/proceedings;*
- 4. if the compromise is genuine, voluntary and out of free will of the parties.*

Report of Illaqa Magistrate/Trial Court be awaited for 30.07.2024.”

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 (Crl.) 1052, this petition is allowed and FIR No.351 dated 02.08.2023 registered under Sections 406, 498-A and 34 of IPC at Police Station Kheripul, District Faridabad (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

July 30, 2024
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(HARPREET SINGH BRAR)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |