

CRM-M-31559-2024 -1 -

2024:PHHC:084440



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
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CRM-M-31559-2024

Date of Decision: 08.07.2024

Dheeraj Gupta

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Siddarth, Advocate for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

Ms. Poonam Rani, Advocate for respondent No.2.

NIDHI GUPTA, J. (ORAL)

Prayer in this petition under Section 482 Cr.P.C. is for quashing of FIR No. 83 dated 12.07.2023 registered under Sections 376, 377 and 506 IPC at Women Police Station, District Faridabad and all consequential proceedings arising therefrom on basis of compromise in the shape of affidavit dated 31.07.2023 (Annexure P-2) arrived at between the parties.

Vakalatnama filed on behalf of respondent No.2 in Court today is taken on record.

Learned counsel for the State vehemently opposes the prayer made in the present petition and submits that the FIR registered under Section 376 IPC cannot be quashed on the basis of compromise. Learned counsel further refers to the writing made in the alleged compromise dated 31.07.2023 (Annexure P-2) to submit that all that has



been stated by the complainant is that the petitioner did not commit any wrong with the complainant because “*the person who committed wrong to me that was not Dheeraj Gupta.*”

Learned counsel for the State further refers to the judgment of passed by the Hon’ble Supreme Court in *State of Madhya Pradesh vs. Laxmi Narayan and others*” *Law Finder Doc ID # 1385786*, wherein it has been held that “*Heinous offence- Quashing on sole ground of compromise- Offence falling in category of heinous offence and alleged to be non-compoundable as per Section 320 Cr.P.C., 1973 cannot be quashed on sole ground of compromise-High Court quashed criminal proceedings mechanically and even when investigation was in progress-Order passed by High Court set aside.*”

In view of the statement made by learned counsel for the State; learned counsel for the petitioner submits that he may be permitted to withdraw the present petition, at this stage.

Permitted to do so.

Dismissed as withdrawn, at this stage.

08.07.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No