



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33768-2024 (O&M)
Date of Decision:07.08.2024

Surinder Singh @ Surender Singh ...Petitioner

vs.

State of Haryana and Anr. ...Respondents

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. P.S Jammu, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

Mr. Santosh Kumar Yadav, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

CRM-29214-2024

1. The application has been filed under Section 528 of B.N.S.S with a prayer to amend the main petition and to add the offence under Sections 325 and 326 of IPC in the headnote as well as prayer clause of the petition.
2. Notice of the application.
3. On the asking of the Court, Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondent No.1. and Mr. Santosh Kumar Yadav, Advocate accepts notice on behalf of respondent No.2 and they have no serious objection with the prayer made by learned counsel for the petitioner.
4. Consequently, the prayer is allowed; the offence under Sections

325 and 326 of IPC is ordered to be added in the headnote, prayer clause of the main petition.

5. The Registry of the Court is directed to carry out the necessary corrections in this regard.

6. The application stands disposed off.

Main case

1. The instant petition has been filed under Section 528 of B.N.S.S for quashing of FIR No. 447 dated 17.08.2023 under Sections 323,325,326,504 and 506 of IPC registered at Police Station Rania, District Sirsa (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 08.07.2024 (Annexure P-2).

2. Vide order dated 17.07.2024, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 08.07.2024 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the JMIC, Ellenabad and got their statements recorded. Report dated 03.08.2024 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in

view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioner.

6. Resultantly, FIR No. 447 dated 17.08.2023 under Sections 323,325,326,504 and 506 of IPC registered at Police Station Rania, District Sirsa (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

07.08.2024

hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No