

CRM-M-35112-2023
Date of decision: 15.02.2024

...PETITIONERS

V/S

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Mr. T.P.S. Bhatti, Advocate
for respondent Nos.2 and 3.

HARPREET SINGH BRAR J. (ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.135 dated 13.04.2023 registered under Sections 120-B, 420, 468, 470 of Indian Penal Code and at Police Station Chandimandir, District Panchkula and all subsequent proceedings arising therefrom in view of the compromise dated 05.06.2023 (Annexure P-2).

2. The following order was passed on 25.08.2023 :

“This is an application filed under Section 482 Cr.P.C. seeking grant of one more opportunity to the private parties for recording their statements before the trial Court in terms of order dated 21.07.2023 passed by this Court. Notice of the application. Ms. Ambika Sood, Addl. A.G., Haryana, accepts notice on behalf of the respondent-State. Mr. T.P.S. Bhatii, Advocate, accepts notice on behalf of respondent Nos.2 and 3. It is pleaded that the parties were directed to appear before the trial Court/Duty Magistrate for recording their statements on 01.08.2023 but due to communication gap, they could not

appear to get their statements recorded. It is submitted that the lapse on the part of the applicants is not intentional but on account of reasons noticed above. In light of the above and the reasons mentioned in the application, the same is allowed. Both the parties are directed to appear before the concerned trial Court/Illaqa Magistrate/Duty Magistrate on 04.09.2023 or any other date convenient to the concerned Court, to get their statements recorded in terms of order dated 21.07.2023 passed by this Court. The Court concerned shall send its report before the date fixed before this Court. List the main case on the date already fixed i.e. 23.11.2023.”

3. In compliance of the above 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.135 dated 13.04.2023 registered under Sections 120-B, 420, 468, 470 of Indian Penal Code and at Police Station Chandimandir, District Panchkula and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

February 15, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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