

CRM-M-35630-2024
Date of decision: 13.09.2024

...PETITIONER

...RESPONDENTS

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.446 dated 12.09.2018 under Sections 323, 406, 498-A, 506



of IPC registered at Police Station Faridabad Kotwali (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise vide order dated 11.12.2023, Addl. Principal Judge, Family Court, Faridabad (Annexure P-3) recorded in first Motion.

Notice of motion.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State. Copy of the paper book be supplied to her during the course of day.

Adjourned to 13.09.2024.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get recorded their statements regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 13.09.2024.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.

Learned counsel for the petitioners is directed to ensure the presence of respondent No.2, at the time of recording the statement.”

4. 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.

5. 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.446 dated 12.09.2018 under Sections 323, 406, 498-A, 506 of IPC registered at Police Station Faridabad Kotwali (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

September 13, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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