



256 IN THE HIGH COURT OF PUNJAB AND HARYANA
 AT CHANDIGARH

CRM-M-35864-2024 (O&M)
Date of Decision: 29.08.2024

SANJEEV @ SANJU

...PETITIONER

V/S

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kapish Singla, Advocate for
Mr. Ashit Malik, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Gautam Kumar, Advocate
for respondents No 2 and 3.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 528 of BNSS seeking quashing of FIR No.78 dated 23.03.2024 under Section 506 of IPC, Sections 8/12 of POCSO Act and Section 3(1)(w) of SC/ST Act, 1989 registered at Police Station Sadar Pehowa, District Kurukshetra (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 04.07.2024 (Annexure P-2).

2. The following order was passed on 29.07.2024:

“CRM-29850-2024

Allowed as prayed for.

CRM-M-35864-2024

This petition has been filed under Section 528 of BNSS seeking quashing of FIR No.78 dated 23.03.2024 under Section 506 of IPC, Sections 8/12 of POCSO Act and Section 3(1)(w) of SC/ST Act, 1989 registered at Police Station Sadar Pehowa, District Kurukshetra (Annexure P-1) along with all



2

subsequent proceedings arising therefrom on the basis of compromise dated 04.07.2024 (Annexure P-2).

Learned counsel for the petitioner requests for recording statement of the petitioner through GPA.

In view of the above, the prayer made by counsel for the petitioner is allowed. The petitioner is allowed to record his statement through GPA before the learned jurisdictional Magistrate.

Notice of motion for 29.08.2024.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Gautam Kumar, Advocate accepts notice for respondents No.2 & 3 and files his power of attorney and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa 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. 29.08.2024.

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

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.78 dated 23.03.2024 under Section 506 of IPC, Sections 8/12 of POCSO Act and Section 3(1)(w) of SC/ST Act, 1989 registered at Police Station Sadar Pehowa, District Kurukshetra (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

29.08.2024

Ajay Goswami

- (i) Whether speaking/reasoned
- (ii) Whether reportable

Yes/No
Yes/No