



CRM-M-38316-2024

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Date of decision : 25.11.2024

Rakesh Sharma**..... Petitioner****V/S****State of Haryana and Ors.****..... Respondents****CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Mr. Yashveer Kharb, Advocate for petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Vishal Yadav, Advocate for respondents No.2 & 3.

AMARJOT BHATTI J.

1. Petitioner Rakesh Sharma has filed present petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.0100 dated 22.02.2021, under Section 346 of IPC, 1860, registered at Police Station Panipat City, District Panipat (Annexure P-1) on the basis of compromise dated 12.07.2024/03.08.2024 (Annexure P-4 and P-5).

2. Facts of the case are that complainant Raj Kumar gave his statement to the police that his daughter Neha was married to Rakesh son of Mange Ram. Due to lack of understanding they took divorce through Panchayat and his daughter Neha was residing with him for the last 2 ½ years. On 22.02.2021, Neha went to S.D.College at about 9:30 AM she was dropped by her brother Rahul but thereafter, his daughter did not reach home.

The complainant apprehend threat from Rakesh son of Mange Ram. With

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these allegations, present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Petitioner and respondents No.2 and 3 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Chief Judicial Magistrate, Panipat dated 10.09.2024. Statements of respondent No.2 and 3 have been recorded, where they confirmed the compromise with petitioner. They confirmed that this compromise has been effected between them and matter has been settled amicably. They have no objection regarding quashing of FIR.

5. Petitioner – Rakesh Sharma also confirmed this fact in his statement. Statement of SI Gourav is also recorded. He stated that initially complaint was moved against Rakesh and Vijay sons of Mange Ram, however, Vijay was found innocent. Only accused Rakesh is facing the trial. He confirmed that accused Rakesh is not involved or declared as proclaimed offender in any other criminal case.

6. Therefore, from the report of Chief Judicial Magistrate, Panipat, it is clear that compromise has been effected between parties and matter has been settled amicably, which is acceptable to both the parties.

7. Considering all these factors in mind, in the case in hand both parties have mutually settled their dispute. It would enable them to live in peace and harmony and end all litigation started between them. Thus no purpose would be served with the continuation of criminal proceedings.

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8. Therefore considering these facts, petition filed by petitioner is accepted and FIR No.0100 dated 22.02.2021, under Section 346 of IPC, 1860, registered at Police Station Panipat City, District Panipat (Annexure P-1) is quashed qua petitioner.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

25.11.2024.*Sunil Devi*

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No