



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-38721-2024

Date of decision:29.10.2024

BABU NATH AND OTHERS

..PETITIONER(S)

Versus

STATE OF HARYANA AND OTHERS

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Varshit Garg, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Vikas Dhoulra, Advocate for
Mr. Abhishek Chaudhary, Advocate
for respondent Nos.2 to 5.

HARPREET SINGH BRAR, J (ORAL)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.0879 dated 08.09.2023 under Sections 323/34/354/506 of IPC registered at Police Station Karnal Sadar (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 18.07.2024 (Annexure P-2).

2. The following order was passed on 09.08.2024:-

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.0879 dated 08.09.2023 under Sections 323/34/354/506 of IPC registered at Police Station Karnal Sadar (Annexure P-1) along with all



subsequent proceedings arising therefrom on the basis of compromise dated 18.07.2024 (Annexure P-2).

Notice of motion for 29.10.2024.

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. Abhishek Chaudhry, Advocate accepts notice for respondents No.2 to 5 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/Illaq Magistrate within four weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded 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. 29.10.2024.

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

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.0879 dated 08.09.2023 under Sections 323/34/354/506 of IPC registered at Police Station Karnal Sadar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

29.10.2024
joyti

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No