

2024:PHHC:119981



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38898-2024 (O&M)
Date of decision: 12.09.2024

Amit Sehrawat and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Mr. Ketan Antil, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. J.S. Thakur, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023/Section 482 Code of Criminal Procedure,
1973 seeking quashing of FIR No.119 dated 25.01.2021 under Sections
323, 34, 354, 406, 498-A, 506 of the Indian Penal Code, 1860 (for short
'IPC'), registered at Police Station Kharkhoda, District Sonapat (Annexure

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P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 02.08.2024 (Annexure P-2).

2. The following order was passed on 12.08.2024 : -

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023/482 Code of Criminal Procedure, 1973 seeking quashing of FIR No.119 dated 25.01.2021 under Sections 323, 34, 354, 406, 498-A, 506 of IPC, registered at Police Station Kharkhoda, District Sonapat (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 02.08.2024 (Annexure P-2).

Notice of motion for 12.09.2024.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. J.S. Thakur, Advocate accepts notice for respondent No.2 and files Power of Attorney, which is taken on record. 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 two 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

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any of the party on or before the date fixed.

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.119 dated 25.01.2021 under Sections 323, 34, 354, 406, 498-A, 506 of IPC, registered at Police Station Kharkhoda, District Sonapat and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

[HARPREET SINGH BRAR]
JUDGE

12.09.2024
vishnu

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No