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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39662-2024
Date of decision: 17.09.2024

RAJAT KUMAR

V/S

STATE OF HARYANA AND OTHERS

...PETITIONER

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Chirag Wadhwa, Advocate
for the petitioner (through video conferencing).

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Hitesh Kalra, Advocate for
respondent Nos.2 and 3.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. read with Section 528 BNSS seeking quashing of FIR No.131 dated 25.02.2023 under Sections 323/34/406/498-A/506 of IPC registered at Police Station Karnal City, District Karnal (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 03.08.2024 (Annexure P-2).

2. The following order was passed on 14.08.2024 :-

“This petition has been filed under Section 482 Cr.P.C. read with Section 528 BNSS seeking quashing of FIR No.131 dated 25.02.2023 under Sections 323/34/406/498-A/506 of IPC registered at Police Station Karnal City, District Karnal (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 03.08.2024 (Annexure P-2).

Notice of motion for 17.09.2024.

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. Hitesh Kalra, 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.

Learned counsel for respondents No.2 & 3 submits that respondent No.2 is residing abroad and as such, she cannot be physically present before the learned jurisdictional Magistrate to record her statement regarding compromise. Therefore, a request for recording statement of respondent No.2 through SPA is made.

In view of the above, the prayer made by counsel for respondents No.2 & 3 is allowed. Respondent No.2 is allowed to record her statement through SPA before the learned jurisdictional Magistrate.

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 any of the party on or before the date fixed i.e. 17.09.2024.

A copy of the order be sent to learned trial Court/Illaq 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.131 dated 25.02.2023 under Sections 323/34/406/498-



(Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

September 17, 2024
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(HARPREET SINGH BRAR)
JUDGE

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