



245-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40202-2024
Date of decision: 23.09.2024

BALA KRISHAN SANWAL AND OTHERS
V/S
...PETITIONERS

STATE OF HARYANA AND OTHERS
...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Arunjeet Singh Kakkar, Advocate
for the petitioners (through video conferencing).

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Mohit Kakkar, Advocate
for respondent Nos.2 and 3.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 of The Bharatiya
Nagarik Suraksha Sanhita seeking quashing of FIR No.298 dated 26.05.2019
under Sections 323, 34, 498-A, 506 of IPC, registered at Police Station Palla,
District Faridabad (Annexure P-1) along with all subsequent proceedings
arising therefrom on the basis of compromise dated 17.07.2023 (Annexure P-
2).

2. The following order was passed on 22.08.2024 :-

*“This petition has been filed under Section 482 Cr.P.C.
seeking quashing of FIR No.298 dated 26.05.2019 under Sections
323, 34, 498-A, 506 of IPC, registered at Police Station Palla,
District Faridabad (Annexure P-1) along with all subsequent
proceedings arising therefrom on the basis of compromise dated
17.07.2023 (Annexure P-2).*

Notice of motion for 23.09.2024.

*At this stage, on asking of the Court, Ms. Geeta Sharma,
DAG, Haryana accepts notice on behalf of respondent No.1-State
and Mr. Mohit Kakkar, Advocate accepts notice for respondents*



No.2 & 3 and files his Vakalatnama, 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 any of the party on or before the date fixed.

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.298 dated 26.05.2019 under Sections 323, 34, 498-A, 506 of IPC, registered at Police Station Palla, District Faridabad (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

September 23, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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