

2024:PHHC:125723



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

**CRM M-41790 of 2024
Date of Decision: 23.09.2024**

Ashok Sharma ...Petitioner
Versus
State of Haryana and another ... Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Manoj Kaushik, Advocate
for the petitioners.

Ms. Sheenu Sura, DAG, Haryana.

Mr. Jaswinder Singh Rai, Advocate
for respondents No. 2 and 3.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 528 of B.N.S.S. for quashing of an FIR No. 286 dated 05.08.2024 under Sections 115, 127(2), 190 and 351(3) of B.N.S.S. registered at Police Station Bilaspur, District Gurugram (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 14.08.2024 (Annexure P-2).
2. Vide order dated 28.08.2024 while issuing notice of motion, this Court had directed the parties to appear before the Illaqa

Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate 1st Class, Pataudi, Gurugram and got their statements recorded. Report dated 16.09.2024 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. A short reply by way of an affidavit of the Commissioner of Police, Pataudi, Gurugram, has been filed on behalf of the respondent No.1-State and the same is taken on record.

5. I have heard counsel for the parties and gone through the case file.

6. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543 and Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioners.

7. Resultantly, FIR No. 286 dated 05.08.2024 under Sections 115, 127(2), 190 and 351(3) of B.N.S.S. registered at Police Station Bilaspur, District Gurugram (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

23.09.2024
amit rana

(N.S.SHEKHAWAT)
JUDGE

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