



CRM-M-41506-2024 (O&M)

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228 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-41506-2024 (O&M)

Date of Decision: 27.09.2024

ASHWANI

...PETITIONER

Versus

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Ishani Goyal, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. S.S. Sandhu, Advocate
for Mr. Ashish Kaushik, Advocate for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 528 B.N.S.S. seeking quashing of FIR No.842 dated 05.11.2022 under Sections 323, 406, 498-A, 506 of IPC registered at Police Station City Rohtak (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 05.01.2024 (Annexure P-3).

2. The following order was passed on 27.08.2024:

“This petition has been filed under Section 528 B.N.S.S. seeking quashing of FIR No.842 dated 05.11.2022 under Sections 323, 406, 498-A, 506 of IPC registered at Police Station City Rohtak (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 05.01.2024 (Annexure P-3).

Notice of motion.

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. Ashish Kaushik, Advocate accepts notice for respondent No.2 and files his vakalatnama, which is taken on record and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.



Service is complete.

Adjourned to 27.09.2024.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get recorded their statements regarding compromise and after recording their statements, learned trial Court/Illaqa 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. 27.09.2024.

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 effected between the parties is genuine and arrived at without any pressure or coercion from anyone.

5. 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.842 dated 05.11.2022 under Sections 323, 406, 498-A, 506 of IPC registered at Police Station City Rohtak (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

27.09.2024
Ajay Goswami

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>