



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

**CRM-M-42825-2024 (O&M)  
Date of Decision: 03.10.2024**

**VIKASH**

**...Petitioner**

**V/S**

**STATE OF HARYANA AND ANOTHER**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Balraj Gujjar, Advocate  
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Vikas Saroha, Advocate  
for respondent No. 2.

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**HARPREET SINGH BRAR J. (Oral)**

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.4 dated 05.01.2023 under Sections 354-D & 506 of IPC, registered at Police Station Jhojukalan, District Charkhi Dadri (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 09.08.2024 (Annexure P-2), supported by affidavit of the complainant dated 09.08.2024 (Annexure P-3).

2. The following order was passed on 02.09.2024:

*"This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.4 dated 05.01.2023 under Sections 354-D & 506 of IPC, registered at Police Station Jhojukalan, District Charkhi Dadri (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 09.08.2024 (Annexure P-2), supported by affidavit of the complainant dated 09.08.2024 (Annexure P-3).*

*Notice of motion for 03.10.2024.*

*At this stage, on asking of the Court, Ms. Geeta Sharma,*



*DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Vikash Saroha, Advocate accepts notice for respondent No.2 and files Memorandum of Appearance, which is taken on record. He undertakes to file Vakalatnama in the Registry on or before the next date of hearing. 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/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded 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.*

*A copy of the order be sent to learned trial Court/Illaqa Magistrate through fax for compliance.”*

3. Office has made the following report:

*“It is further humbly submitted that the original case isn’t traceable even making sincere efforts. However, copy of order as well as paper-book is available on DMS and same is procured from DMS and placed before the Hon’ble Bench”*

4. 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.

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.4 dated 05.01.2023 under Sections 354-D & 506 of IPC, registered at Police Station Jhojukalan, District Charkhi Dadri (Annexure P-1) long with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

03.10.2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No