



CRM-M-44499-2024 (O&M)

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236 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44499-2024 (O&M)
Date of decision: 16.10.2024

MUKESH KUMAR AND ANOTHER

...PETITIONERS

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Harmanjeet Singh Sandhu, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Akash Mehta, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. or under Section 528 of BNSS seeking quashing of FIR No.251 dated 06.12.2021 under Sections 323, 34, 406, 498-A, 506 of IPC, registered at Police Station Saha, District Ambala (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 23.08.2024 (Annexure P-2).

2. The following order was passed on 09.09.2024:

*"This petition has been filed under Section 482 Cr.P.C.
or under Section 528 of BNSS seeking quashing of FIR No.251 dated
06.12.2021 under Sections 323, 34, 406, 498-A, 506 of IPC,
registered at Police Station Saha, District Ambala (Annexure P-1)
along with all subsequent proceedings arising therefrom on the basis
of compromise dated 23.08.2024 (Annexure P-2).*

Notice of motion for 16.10.2024.



At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Akash Mehta, Advocate accepts notice for respondent No.2 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 (CrI.) 1052**, this petition is allowed and FIR No.251 dated 06.12.2021 under Sections

323, 34, 406, 498-A, 506 of IPC, registered at Police Station Saha, District Ambala (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

October 16, 2024

Ajay Goswami

(HARPREET SINGH BRAR)

JUDGE

(i)

Whether speaking/reasoned

Yes/No

(ii)

Whether reportable

Yes/No