



240 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43858-2024 (O&M)

Date of decision: 14.10.2024

SHIV KUMAR

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kapish Singla, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Ajay Kumar Dahiya, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 of Bhartiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.542 dated 19.09.2019 under Sections 323, 34, 354-C, 498-A of IPC (Sections 354-C, 34 of IPC were deleted and Section 406 of IPC was added later on in the challan), registered at Police Station City Sonapat, District Sonapat (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 14.08.2024 (Annexure P-2).

2. The following order was passed on 05.09.2024 :-

"This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.542 dated 19.09.2019 under Sections 323, 34, 354-C, 498-A of IPC (Sections 354-C, 34 of IPC were deleted and Section 406 of IPC was added later on in the challan), registered at Police Station City Sonapat, District Sonapat (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 14.08.2024 (Annexure P-2).

Notice of motion for 14.10.2024.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State



and Mr. Ajay Kumar Dahiya, 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 above 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.542 dated 19.09.2019 under Sections 323, 34, 354-C, 498-A of IPC (Sections 354-C, 34 of IPC were deleted and Section 406 of IPC was added later on in the challan), registered at Police Station City Sonapat, District Sonapat (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

October 14, 2024
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(HARPREET SINGH BRAR)
JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No