



CRM-M-45579-2024 (O&amp;M)

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226 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-45579-2024 (O&amp;M)

Date of decision: 18.10.2024

NITIN SHARMA

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Kashish Sahni, Advocate  
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Devansh Khanna, 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 (earlier Section 482 of the Code of Criminal Procedure, 1973) seeking quashing of FIR No.209 dated 16.04.2015 under Sections 498-A, 406, 34 of the Indian Penal Code, 1860 (for short 'IPC') (Section 34 of IPC was deleted later on), registered at Police Station Sector 7, Faridabad (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 28.08.2024 (Annexure P-2).

2. The following order was passed on 16.09.2024:

*"This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (earlier Section 482 of the Code of Criminal Procedure, 1973) seeking quashing of FIR No.209 dated 16.04.2015 under Sections 498-A, 406, 34 of the Indian Penal Code, 1860 (for short 'IPC') (Section 34 of IPC was deleted later on), registered at Police Station Sector 7, Faridabad (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 28.08.2024 (Annexure P-2).*

*Notice of motion for 18.10.2024.*



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

*Learned counsel for respondent No.2 submits that respondent No.2 is presently residing in Pune and it is very difficult for her to appear before learned trial Court for recording her statement in terms of the compromise, as such, her statement may be recorded through video conferencing.*

*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.*

*As requested on behalf of respondent No.2, learned trial Court/Illaq Magistrate is directed to record statement of respondent No.2 in support of the compromise, through video conferencing.*

*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.209 dated 16.04.2015 under Sections 498-A, 406, 34 of the Indian Penal Code, 1860 (for short ‘IPC’) (Section 34 of IPC was deleted later on), registered at Police Station Sector 7, Faridabad (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

October 18, 2024

Ajay Goswami

(i) Whether speaking/reasoned

(ii) Whether reportable

(HARPREET SINGH BRAR)

JUDGE

Yes/No

Yes/No