



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

237

CRM-M-48452-2024

Date of decision:28.10.2024

RITESH GOYAL

..PETITIONER(S)

Versus

STATE OF HARYANA AND ANOTHER

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Naveen Kumar, Advocate
for the petitioner(through V.C).

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Rahul Makkar, Advocate
for the respondent No.2.

HARPREET SINGH BRAR , J (ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.0243 dated 10.07.2023 registered under Sections 323, 34, 354-A, 354-C, 354-D, 377, 406, 498-A and 506 of Indian Penal Code at Police Station Arya Nagar, Rohtak and all subsequent proceedings arising therefrom in view of the compromise dated 05.08.2024 (Annexure P-2).

2. The following order was passed on 26.9.2024:-

“This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.0243 dated 10.07.2023 registered under Sections 323, 34, 354-A, 354-C, 354-D, 377, 406, 498-A and 506 of Indian Penal Code at Police Station Arya Nagar, Rohtak



and all subsequent proceedings arising therefrom in view of the compromise dated 05.08.2024 (Annexure P-2).

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. Copy of the paper book be supplied to her during the course of day. Learned counsel for the petitioner undertakes to secure the presence of respondent No.2 before the learned trial Court at the time of recording the statement.

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 A 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.0243 dated 10.07.2023 registered under Sections 323, 34, 354-A, 354-C, 354-D, 377, 406, 498-A and 506 of Indian Penal Code at Police Station Arya Nagar, Rohtak and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

28.10.2024
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(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No