

CRM-M-52455-2024 (O&M)

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232 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-52455-2024 (O&M)

Date of Decision: 25.11.2024

VIJAY PRATAP

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Lavanya Gupta, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

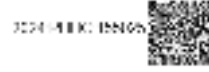
Mr. Arvind Kumar Kansal, Advocate
for respondent No. 2.

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.23 dated
27.01.2023 under Sections 498-A, 406, 323, 506, 509 of the Indian Penal
Code, 1860, registered at Police Station Sector-17, HUDA, Jagadhri,
District Yamuna Nagar (Annexure P-1) along with all subsequent
proceedings arising therefrom on the basis of compromise dated 27.09.2024
(Annexure P-2).

2. The following order was passed on 22.10.2024:

*“This petition has been filed under Section
528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking
quashing of FIR No.23 dated 27.01.2023 under Sections
498A, 406, 323, 506, 509 of the Indian Penal Code, 1860,
registered at Police Station Sector-17, HUDA, Jagadhri,
District Yamuna Nagar (Annexure P-1) along with all
subsequent proceedings arising therefrom on the basis of
compromise dated 27.09.2024 (Annexure P-2).*



Notice of motion for 25.11.2024.

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

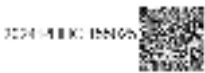
Service is complete.

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 this 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)**



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RCR (CrI.) 1052, this petition is allowed and FIR No.23 dated 27.01.2023 under Sections 498-A, 406, 323, 506, 509 of the Indian Penal Code, 1860, registered at Police Station Sector-17, HUDA, Jagadhri, District Yamuna Nagar (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)

JUDGE

25.11.2024

Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No