

CRM-M-53776-2024 (O&M)

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234 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-53776-2024 (O&M)

Date of Decision: 27.11.2024

CHANDERSEN @ KALA AND ANOTHER

...Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rahul Sangwan, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Jagmeet Singh Moudgill, Advocate
for respondent No. 2.

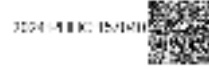
Harpreet Singh Brar J.(Oral)

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.237 dated
28.09.2024 under Sections 351(2) and 64(1) of BNS registered at Police
Station Sahlawas, District Jhajjar (Annexure P-1) along with all subsequent
proceedings arising therefrom on the basis of compromise dated 21.10.2024
(Annexure P-2).

2. The following order was passed on 28.10.2024:

*“This petition has been filed under Section
528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking
quashing of FIR No.237 dated 28.09.2024 under Sections
351(2) and 64(1) of BNS registered at Police Station
Sahlawas, District Jhajjar (Annexure P-1) along with all
subsequent proceedings arising therefrom on the basis of
compromise dated 21.10.2024 (Annexure P-2).*

*Learned counsel for the petitioners inter alia
contends that respondent No.2 is the close relative i.e.
sister-in-law (bhabhi) of the petitioners, having two*



children and due to internal family dispute and misunderstanding, the FIR (supra) was registered. He further submits that the parties are ready and willing to record their statements for quashing of FIR (supra) on the basis of compromise. He further relies upon the judgment of the Hon'ble Supreme Court in 'Kapil Gupta Vs. State of NCT of Delhi and others' 2022 (4) RCR (Criminal) 497 and the judgment of this Court passed in 'Karan Sharma Vs. State of Haryana and another' CRM-M-30033 of 2020 (O&M) decided on 22.12.2020.

Notice of motion for 27.11.2024.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Jagmeet Singh Moudgill, Advocate accepts notice for respondent No.2 and files his vakalatnama and admits to the factum of compromise. 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 (Crl.) 1052**, this petition is allowed and FIR No.237 dated 28.09.2024 under Sections 351(2) and 64(1) of BNS registered at Police Station Sahlawas, District Jhajjar (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

27.11.2024
Ajay Goswami

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