



CRM-M-53834-2024 (O&M)

-1-

235 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-53834-2024 (O&M)

Date of Decision: 27.11.2024

ARUN RATHORE

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Aayush Goyal, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Peyush Pruthi, 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.36 dated
15.03.2023 under Sections 323/376/406/498-A/509/511/34 of IPC
registered at Police Station Women West, District Gurugram, Haryana
(Annexure P-1) along with all subsequent proceedings arising therefrom on
the basis of compromise dated 10.09.2024 (Annexure P-4).

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.36 dated 15.03.2023 under Sections
323/376/406/498-A/509/511/34 of IPC registered at Police
Station Women West, District Gurugram, Haryana
(Annexure P-1) along with all subsequent proceedings
arising therefrom on the basis of compromise dated
10.09.2024 (Annexure P-4).*

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. 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.

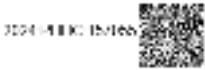
In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa 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/Illaqa 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.36 dated 15.03.2023



under Sections 323/376/406/498-A/509/511/34 of IPC registered at Police Station Women West, District Gurugram, Haryana (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

27.11.2024
Ajay Goswami

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