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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-55212-2024 (O&M)
Date of decision: 11.12.2024

Rohan Gupta and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Mr. Vishal, Advocate for
Mr. Ajit Singh Lamba, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Yashdeep Nain, Advocate and
Mr. Vikas Barala, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.20 dated
09.01.2023 under Sections 313, 323, 34, 354-A, 406, 498-A, 506 of the
Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Hisar

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City, District Hisar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise/settlement arrived between the parties.

2. The following order was passed on 07.11.2024: -

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.20 dated 09.01.2023 under Sections 313/323/34/354-A/406/498-A/506 of IPC registered at Police Station Hisar City (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise/settlement arrived between the parties.

Learned counsel for the petitioners submits that petitioners No.2 & 4 are currently residing in Mumbai and petitioner No.4 has recently given birth to twin daughters, as such, she is not in a position to travel to Hisar to record her statement in terms of compromise. Therefore, a request for recording statement of petitioners No.2 & 4 through video conferencing is made.

Notice of motion for 11.12.2024. 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. Yashdeep Nain, 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

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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.

In view of the prayer made by counsel for the petitioners, the learned trial Court/Illaq Magistrate is directed to record the statements of petitioners No.2 & 4 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

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this Court in *Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052*, this petition is allowed and FIR No.20 dated 09.01.2023 under Sections 313, 323, 34, 354-A, 406, 498-A, 506 of IPC, registered at Police Station Hisar City, District Hisar and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

11.12.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No