

CRM-M-60397-2023
Date of decision: 02.02.2024

...PETITIONERS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sandeep K. Tada, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

None for respondent Nos.2 and 3.

HARPREET SINGH BRAR J. (ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.406 dated 01.12.2020 registered under Sections 323, 341, 506, 34 of Indian Penal Code (Section 325 of IPC added later on) at Police Station Rai, District Sonapat (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 15.11.2023 (Annexure P-2).

2. The following order was passed on 07.12.2023 :

“Notice of motion.

Ms. Geeta Sharma, DAG Haryana puts in appearance and accepts notice on behalf of respondent No.1-State.

At this stage, Mr. Mannu Sheokand, Advocate puts in appearance on behalf of respondent No.2 and 3. Copy of the paper book be supplied during the course of the day.

In view of the compromise arrived at between the parties, let the parties appear before the trial Court/Area Magistrate, as the case may be, within a period of two weeks from today for getting their statements

recorded with regard to the compromise. Trial Court is directed to report on the following points:-

- (i) how many total accused are facing the trial;
- (ii) whether any of the accused was declared proclaimed offender at any stage of trial;
- (iii) status/stage of the trial/case;
- (iv) to record the statements of all the concerned parties with regard to the genuineness and validity or otherwise of the compromise;
- (v) to record the statement of Investigating Officer with regard to points No.(i), (ii) and (iii) as above.

Report be sent through District and Sessions Judge, before the next date of hearing.
Adjourned to 02.02.2024.”

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.406 dated 01.12.2020 registered under Sections 323, 341, 506, 34 of Indian Penal Code (Section 325 of IPC added later on) at Police Station Rai, District Sonapat (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

February 02, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

- | | | |
|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |