

CRM-M-55441-2024
Date of decision: 10.12.2024

...PETITIONER

STATE OF HARYANA AND OTHERS

...RESPONDENTS

Present: Mr. Harsh Jain, Advocate for the petitioner.
Mr. Vikas Bhardwaj, AAG, Haryana.
Ms. Tanya Sehgal, Advocate for respondent No.2.

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.708 dated 13.12.2022 under Section 346 of the Indian Penal Code, 1860 (for short 'IPC') (Sections 342, 346, 363, 366, 506 of IPC were added later on), registered at Police Station Hisar Civil Lines, District Hisar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise/settlement dated 28.10.2024 (Annexure P-4).

2. The following order was passed on 08.11.2024 :-

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.708 dated 13.12.2022 under Section 346 of the Indian Penal Code, 1860 (for short ‘IPC’) (Sections 342, 346, 363, 366, 506 of IPC were added later on), registered at Police Station Hisar Civil Lines, District Hisar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise/settlement dated 28.10.2024 (Annexure P-4).

Notice of motion for 10.12.2024.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Ms. Tanya Sehgal, Advocate accepts notice for respondent



No.2 and files Power of Attorney, which is taken on record. Copy of the paper book be supplied to them during course of the day.

Service is complete.

In the meanwhile, the parties are directed to appear before learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to learned 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) RCR (CrL) 1052*, this petition is allowed and FIR No.708 dated 13.12.2022 under Section 346 of IPC (Sections 342, 346, 363, 366, 506 of IPC were added later on), registered at Police Station Hisar Civil Lines, District Hisar (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

December 10, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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