

280

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-60449-2023
Date of decision: 30.01.2024

JOGA SINGH

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Kirandeep Kaur, Advocate for
Mr. Sahil Sharma, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Suresh Kumar, Advocate
for complainant/respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.0075 dated 21.03.2023 registered under Sections 406, 420, 506 Indian Penal Code and Section 24 of Immigration Act at Police Station Nissing, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 30.10.2023 (Annexure P-2).

2. The following order was passed on 01.12.2023 :

“Notice of motion.

On asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State.

Mr. Suresh Kumar, Advocate puts in appearance on behalf of respondent No.2 and files his power of attorney which is taken on record.

Registry is directed to tag the same at an appropriate place in the file.

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 30.01.2024.

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.0075 dated 21.03.2023 registered under Sections 406, 420, 506 Indian Penal Code and Section 24 of Immigration Act at Police Station Nissing, District Karnal (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

January 30, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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