

CRM-M-55784-2024
Date of decision: 12.12.2024

...PETITIONERS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

Present: Ms. Amandeep Kaur, Advocate for
Mr. G.S. Sandhu, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Mayank Aggarwal, Advocate
for respondent Nos.2 to 5.

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.264 dated
13.05.2024 under Sections 34/148/149/323/324/354/379/447/452/506 of IPC
registered at Police Station Sector 32-33 Karnal, District Karnal (Annexure P-
1) along with all subsequent proceedings arising therefrom on the basis of
compromise/affidavit dated 23.07.2024 (Annexure P-2).

2. The following order was passed on 11.11.2024 :-

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.264 dated 13.05.2024 under Sections 34/148/149/323/324/354/379/447/452/506 of IPC registered at Police Station Sector 32-33 Karnal, District Karnal (Annexure P1) along with all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 23.07.2024 (Annexure P-2).

Learned counsel for the petitioners submits that petitioner No.1 is currently residing abroad and he is not in a position to



present physically before the learned trial Court/Illaq Magistrate to record his statement regarding compromise. Therefore, a request for recording statement of petitioner No.1 through video conferencing is made.

Notice of motion for 12.12.2024.

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. Mayank Aggarwal, Advocate accepts notice for respondents No.2 to 5 and files his power of attorney 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 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 above, the prayer made by counsel for the petitioners, petitioner No.1 is allowed to record his statement through video conferencing before the learned jurisdictional Magistrate.

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 this Court in

Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052, this petition



CRM-M-55784-2024

3

is allowed and FIR No.264 dated 13.05.2024 under Sections 34/148/149/323/324/354/379/447/452/506 of IPC registered at Police Station Sector 32-33 Karnal, District Karnal (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioners.

December 12, 2024
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(HARPREET SINGH BRAR)
JUDGE

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