

CRM-M-60760-2023
Date of decision: 09.02.2024

...PETITIONER

...RESPONDENTS

Present: Mr. Sandeep Sharma, Advocate for
Mr. Namit Khurana, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Poorva Gupta, Advocate for
Ms. Lalita Kashyap, Advocate
for 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.3 dated 08.01.2021 registered under Sections 406/420 of Indian Penal Code and Section 10 of Immigration Act at Police Station Radaur, District Yamuna Nagar (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise arrived at between the parties.

2. The following order was passed on 04.12.2023 :

“Notice of motion.

On asking of the Court, Ms. Geeta Sharma, DAG, Haryana, accepts notice on behalf of respondent No.1-State. Ms. Lalita Kashyap, Advocate appears on behalf of respondent No.2 and filed Vakalatnama, 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 four 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 09.02.2024.”

3. In compliance of the above order and order dated 18.01.2024, 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. Learned State counsel submits that it is a partial compromise.

5. Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in ***Parambir Singh Gill Vs. Malkiat Kaur 2010(1) RCR (Crl.) 256 and Jayaraj Singh Rana Vs. State of Gujrat 2012(4) RCR (Crl.) 589, Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466 and Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834*** 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.3 dated 08.01.2021 registered under Sections 406/420 of Indian Penal Code and Section 10 of Immigration Act at Police Station Radaur, District Yamuna

Nagar (Annexure P-1) and all subsequent proceedings arising out of the same
are quashed qua the petitioner only.

February 09, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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