

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-M No. 62421-2023

Date of Decision: 31.01.2024

Jasbir Singh @ Kala and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Rahul Makkar, Advocate for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Vikas Kumar, Advocate for respondent No. 2.

HARPREET SINGH BRAR, J.(ORAL)

1. Case is taken up for hearing through video conferencing.
2. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.470 dated 10.10.2020 under Sections 186/353 of IPC registered at Police Station City, Bahadurgarh, District Jhajjar (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 28.09.2023 (Annexure P-2).

3. The following order was passed on 12.12.2023:

“The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.470 dated 10.10.2020 under Sections 186/353 of IPC registered at Police Station City, Bahadurgarh, District Jhajjar (Annexure P-1) on the basis of compromise dated 28.09.2023 (Annexure P-2) and all subsequent proceedings arising therefrom.

Learned counsel for the petitioner relies upon the judgment passed by the Division Bench of this Court in ‘Vinod @ Boda And Others vs State Of Haryana And Another’ to contend that FIR under Section 186/353 of IPC can be quashed on the basis of compromise.

Notice of motion.

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

Mr. Kunal Jain, 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 31.01.2024.”

4. 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.

5. 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.)**

Sections 186/353 of IPC registered at Police Station City, Bahadurgarh, District Jhajjar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

31.01.2024

(HARPREET SINGH BRAR)
JUDGE

Rajeev (rvs)

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No