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248 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-57481-2024 (O&M)

Date of Decision: 16.12.2024

SONU KHANCHI

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Manoj Kumar Taya, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Bhupender Singh, Advocate for respondent No. 2.

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.132 dated 15.11.2019 under Sections 323/406/498-A/506 of IPC (Section 376-D of IPC deleted later) registered at Police Station Women Police Station Karnal District Karnal (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 16.09.2024 (Annexure P-2).

2. The following order was passed on 19.11.2024:

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.132 dated 15.11.2019 under Sections 323/406/498-A/506 of IPC (Section 376-D of IPC deleted later) registered at Police Station Women Police Station Karnal District Karnal (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 16.09.2024 (Annexure P-2).

Notice of motion for 16.12.2024.



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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. Bhupender Singh, Advocate accepts notice for respondent No.2 and files his memorandum of appearance and is directed to file his power of attorney on or before the next date of hearing 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.

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

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Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052**, this petition is allowed and FIR No.132 dated 15.11.2019 under Sections 323/406/498-A/506 of IPC (Section 376-D of IPC deleted later) registered at Police Station Women Police Station Karnal District Karnal (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)

JUDGE

16.12.2024

Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No