

VIRENDER KUMAR

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Navraj Singh, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Jaspreet Banga, Advocate for
Mr. Sanjeev K. Virk, 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.136 dated 28.02.2023 registered under Sections 406, 420 of Indian Penal Code at Police Station Bhiwani Sadar, District Bhiwani, Haryana (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 22.11.2023 (Annexure P-2).

2. The following order was passed on 15.12.2023 :

“This is a petition that has been filed seeking quashing of FIR No. 136 dated 25.02.2023 under Section 406, 420 of Indian Penal Code registered at Police Station Bhiwani Sadar, District Bhiwani on the basis that a compromise has been entered into between the parties.

Notice of motion.

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. Sanjeev Virk, Advocate

accepts notice for respondent No.2 and files his Vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

Now, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks, to get recorded their statements regarding compromise and after recording their statements, learned trial Court/Illaqa 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 i.e. 02.02.2024.

A copy of the order be sent to learned trial Court/Illaqa Magistrate through fax for compliance.”

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.136 dated 28.02.2023 registered under Sections 406, 420 of Indian Penal Code at Police Station Bhiwani Sadar, District Bhiwani, Haryana (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

February 02, 2024

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(HARPREET SINGH BRAR)
JUDGE