

204 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-62529-2023 (O&M)
Date of Decision: 02.02.2024

...Petitioners

V/S

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ishan Cooner, Advocate for
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Ravi Kumar, Advocate for
Mr. Virender Kumar, Advocate for respondents No. 2 and 3.

HARPREET SINGH BRAR J. (Oral)

1. Through the instant petition, the petitioners are seeking quashing of FIR No. 301 dated 16.12.2016 registered under Sections 323, 34 and 452 of Indian Penal Code at Police Station Parao, Ambala Cantt. District Ambala (subsequently, Section 452 of IPC deleted and Sections 447/511 of IPC added) along with all subsequent proceedings arising therefrom on the basis of compromise dated 09.12.2023 (Annexure P-2).

2. On 18.12.2023, following order was passed:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0301 dated 16.12.2016 under Sections 323/34/452 of IPC registered at Police Station Parao, Ambala Cantt. District Ambala (subsequently, Section 452 of IPC deleted and Section 447/511 of IPC added) (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 09.12.2023 (Annexure P-2).

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. Virender Kumar, Advocate accepts notice for respondents No.2 & 3 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.

Now 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 recorded their statements 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 i.e. 02.02.2024.

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

3. In compliance of the above order, a report has been received from the concerned jurisdictional Court to the effect that there were total three accused in the present case, out of which, one accused namely Rampal Singh has already expired and proceedings against him had already been dropped and 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. 301 dated 16.12.2016 registered under Sections 323, 34 and 452 of Indian Penal Code at Police

Station Parao, Ambala Cantt. District Ambala (subsequently, Section 452 of IPC deleted and Sections 447/511 of IPC added) and all subsequent proceedings arising out of the same are quashed, qua the remaining petitioners.

02.02.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No