

CRM-M-58426-2024
Date of decision: 16.12.2024

...PETITIONER

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

Present: Mr. Amit Kumar, Advocate for
Mr. Anshuman Dalal, Advocate for the petitioner.
Mr. Vikas Bhardwaj, AAG, Haryana.

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.81 dated 09.06.2017 under Sections 354-A & 506 of the Indian Penal Code, 1860, registered at Women Police Station Rohtak, District Rohtak (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 08.11.2024 (Annexure P-2).

2. Mr. Sandeep Kr. Bhardwaj, Advocate has put in appearance on behalf of respondent No.2 and filed his *vakalatnama* which is taken on record. Registry is directed to tag the same at the appropriate place.

3. The following order was passed on 22.11.2024 :-

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.81 dated 09.06.2017 under Sections 354-A & 506 of the Indian Penal Code, 1860, registered at Women Police Station Rohtak, District Rohtak (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 08.11.2024 (Annexure P-2).

Notice of motion.

At this stage, on asking of the Court, Mr. Vikas Bhardwaj, AAG, Haryana accepts notice on behalf of respondent No.1-State.



Copy of the paper book be supplied to him during course of the day.

Adjourned to 16.12.2024.

In the meanwhile, the parties are directed to appear before learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to learned trial Court/Illaqa Magistrate, to get their statements recorded 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.

Learned counsel for the petitioner undertakes to secure presence of respondent No.2 at the time of recording the statements of the parties in terms of compromise (Annexure P-2).

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

4. 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.
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.) 1052***, this petition is allowed and FIR No.81 dated 09.06.2017 under Sections 354-A & 506 of the Indian Penal Code, 1860, registered at Women Police Station Rohtak, District Rohtak (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

December 16, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE