

OMPRAKASH SINGH

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

None 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.342 dated 07.11.2023 under Sections 188, 286, 336, 34, 427 of Indian Penal Code registered at Police Station Rajendra Park, Gurgram, District Gurugram and all subsequent proceedings arising therefrom in view of the compromise.

2. The following order was passed on 18.12.2023 :

“This is a petition that has been filed seeking quashing of FIR No.342 dated 07.11.2023 under Section 188, 286, 336, 34, 427 of Indian Penal Code registered at at Police Station Rajendra Park, Gurgram, District Gurugram 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. Kartik, 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. There is no representation on behalf of the petitioner and respondent No.2, however, 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.342 dated 07.11.2023 under Sections 188, 286, 336, 34, 427 of Indian Penal Code registered at Police Station Rajendra Park, Gurgram, District Gurugram and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

February 02, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |