

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

276

CRM-M No. 64197-2023
Date of Decision: 08.02.2024

Karambir

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr.Ram Karan Agnihotri, Advocate for the petitioner.
Mr. Vikas Bhardwaj, AAG, Haryana.
Mr. Kapil Aggarwal, Advocate for respondents No. 2 and 3.

HARPREET SINGH BRAR, J.(ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 0165 dated 10.09.2022 registered under Sections 279 and 337 of Indian Penal Code, 1860 later on Section 338 IPC added, at Police Station Jagadhri Sadar, District Yamuna Nagar and all subsequent proceedings arising therefrom in view of the compromise dated 13.12.2023 (Annexure P-2).

2. The following order was passed on 20.12.2023:

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0165 dated 10.09.2022 under Sections 279/337 of IPC registered at Police Station Jagadhri Sadar, Distrcit Yamuna Nagar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 13.12.2023 (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. Kapil Aggarwal, Advocate accepts notice for respondents No.2 & 3 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 from today or any other date convenient to the trial Court/Illaqa Magistrate, 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. 08.02.2024.

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. 0165 dated 10.09.2022 registered under Sections 279 and 337 of Indian Penal Code, 1860 later on Section 338 IPC added, at Police Station Jagadhri Sadar, District Yamuna Nagar and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

08.02.2024
Rajeev (rvs)

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No