

CRM-M-65100-2023
Date of decision: 25.04.2024

...PETITIONERS

V/S

...RESPONDENTS

Present: Mr. P.P.S. Brar, Advocate for
Mr. K.B.S. Mann, Advocate
for the petitioners.

Mr. Nischal Chetanya Manchanda, Advocate
for respondent No.2.

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HARPREET SINGH BRAR J. (ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.472 dated 25.08.2017 under Sections 406/498-A/506 of the Indian Penal Code, 1860 registered at Police Station S.G.M. Nagar (Sanjay Gandhi Memorial Nagar), District Faridabad (Annexure P-1), and all other consequential proceedings arising therefrom, on the basis of compromise deed dated 19.12.2022 (Annexure P-2).

2. The following order was passed on 18.01.2024 :-

“The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.472 dated 25.08.2017 under Sections 406/498-A/506 of the Indian Penal Code, 1860 registered at Police Station S.G.M. Nagar (Sanjay Gandhi Memorial Nagar), District Faridabad, and all other consequential proceedings arising therefrom, on the ground that the parties have since compromised the matter vide compromise deed dated 19.12.2022 (Annexure P-2).

Learned counsel for the petitioners would contend that the parties have since compromised the matter and have entered into a written compromise dated 19.12.2022 (Annexure P-

2). *Learned counsel for the petitioners has relied upon the judgment by the Larger Bench's judgment of this Court in "Kulwinder Singh & Ors. Vs. State of Punjab & Anr." [2007 (3) RCR (Criminal) 1052].*

Notice of motion.

On the asking of the Court, Mr. Ranvir Singh Arya, Addl. A.G. Haryana, accepts notice on behalf of respondent No.1-State. Mr.Jagdish Manchanda, Advocate accepts notice for respondent No.2. Copy of the petition has already been supplied to both the counsel.

Learned counsel appearing for respondent No.2 states that respondent No.2 would have no objection if the aforesaid FIR is quashed on the basis of the compromise

List on 25.04.2024.

Meanwhile, the parties are directed to appear before the concerned CJM/Illaq Magistrate/Trial Court on 12.03.2024, or on any other date convenient to the Court, for recording of their statements. The CJM/Illaq Magistrate/Trial Court is directed to record the statements of the parties to its satisfaction qua the genuineness of the compromise and that the same is not the result of any undue influence, coercion or pressure of any kind. Statements of petitioners and respondent No.2 shall be recorded through video conferencing as per Video Conferencing Rules (for Courts), 2021. A report, along-with the statements of the parties, on the following points be sent to this Court before the next date of hearing :

- 1) Whether the settlement/compromise dated 19.12.2022 (Annexure P-2) has been freely entered into between the parties without any undue influence, coercion or pressure of any kind.*
- 2) Whether any other criminal cases are pending against the parties.*
- 3) Whether any proclamation proceedings are pending against either of the parties."*

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.472 dated 25.08.2017 under Sections 406/498-A/506 of the Indian Penal Code, 1860 registered at Police Station S.G.M. Nagar (Sanjay Gandhi Memorial Nagar), District Faridabad and all subsequent proceedings arising out of the same are quashed, qua the petitioners.

April 25, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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