

Date of decision: 29.02.2024

...PETITIONERS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

Present: Mr. Parminder Singh, Advocate for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Sukhdeep Singh, Advocate 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.203 dated 07.06.2021 registered under Sections 406, 420, 34 IPC at Police Station Kunjpura, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P-2).

2. The following order was passed on 04.01.2024 :-

“This is a petition that has been filed seeking quashing of FIR No. 203 dated 07.06.2021 under Sections 406, 420, 34 IPC registered at Police Station Kunjpura, District Karnal (Annexure P-1) on the basis that a compromise (Annexure P-2) has been effected 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. Sukhdeep Singh, Advocate accepts notice on behalf of respondent No. 2 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/Illaga 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.29.02.2024.

A copy of the order be sent to the 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. It is indicated in the report that during the pendency of the present petition, petitioner No.3 namely Yasin @ Yaseen has expired on 27.12.2023.
4. In view of the submission made qua petitioner No.3, in the report of the concerned Court, present petition stands abated qua petitioner No.3 namely Yasin @ Yaseen and 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.203 dated 07.06.2021 registered under Sections 406, 420, 34 IPC at Police Station Kunjpura, District Karnal (Annexure P-1) and all subsequent proceedings arising out of the same are quashed, qua the remaining petitioners i.e. petitioner Nos.1, 2 and 4 to 10.