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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-60796-2024 (O&M)
Date of decision: 17.12.2024

Bhim Sain Mangal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR JUSTICE HARPREET SINGH BRAR

Present: Mr. Sahil Gupta, Advocate
for the petitioner.

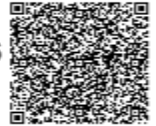
Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Hemant Hans, Advocate
for respondents No.2 to 4.

HARPREET SINGH BRAR, J.

1. This petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.489 dated
12.10.2024 under Sections 12 of the Protection of Children from Sexual
Offences Act, 2012 (for short 'POCSO Act') and Sections 75(2) & 79 of
Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police
Station Hisar City, District Hisar (Annexure P-1) along with all subsequent

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proceedings arising therefrom on the basis of compromise dated 14.10.2024 (Annexure P-2).

2. The following order was passed on 04.12.2024: -

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.489 dated 12.10.2024 under Sections 12 of the Protection of Children from Sexual Offences Act, 2012 and Sections 75(2) & 79 of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Hisar City, District Hisar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 14.10.2024 (Annexure P-2).

Notice of motion.

At this stage, on asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Hemant Hans, Advocate accepts notice for respondent No.2 and files Power of Attorney, which is taken on record. Copy of the paper book be supplied to them during course of the day.

Service is complete.

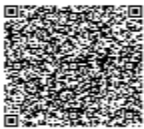
Adjourned to 17.12.2024.

In the meanwhile, the parties are directed to appear before learned trial Court/Illaq Magistrate within a period of one week from today or any other date convenient to learned trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq 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.

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

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the

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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.489 dated 12.10.2024 under Sections 12 of the POCSO Act and Sections 75(2) & 79 of BNS, registered at Police Station Hisar City, District Hisar and all subsequent proceedings arising out of the same are quashed, qua the petitioner.

[HARPREET SINGH BRAR]
JUDGE

17.12.2024
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No