

CRM-M-2348-2025 (O&M)

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**300 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

**CRM-M-2348-2025 (O&M)
Date of Decision: 18.02.2025**

VISHAL MUNDHRA AND ANOTHER

...Petitioners

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Akshay Kumar Dahiya, Advocate
for the petitioners.

Mr. Harkesh Kumar, AAG Haryana

Mr. Mukul Khatri, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 528 BNSS seeking quashing of FIR No.84 dated 13.10.2024 under Sections 318(4), 336(3), 338, 340, 61 of BNS, 2023 registered at Police Station Cyber Crime, District Sonipat (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 21.11.2024 (Annexure P-2).

2. The following order was passed on 18.01.2025:

“This petition has been filed under Section 528 BNSS seeking quashing of FIR No.84 dated 13.10.2024 under Sections 318(4), 336(3), 338, 340, 61 of BNS, 2023 registered at Police Station Cyber Crime, District Sonipat (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 21.11.2024 (Annexure P-2).



Notice of motion.

At this stage, on the asking of the Court, Ms. Mayuri Lakhanpal Kalia, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Vivek Dahiya, Advocate accepts notice for respondent No.2 and files his power of attorney, which is taken on record and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

Adjourned to 18.02.2025.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get recorded their statements 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 i.e. 18.02.2025.

A copy of the 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 parties is genuine and arrived at without any pressure or coercion from anyone.

4. Learned State counsel submits that during the disclosure statement, petitioner No. 1-Vishal Mundhra has submitted that one more accused namely Shilpha has been nominated as accused.

5. Learned counsel for respondent No. 2-Jatin submits that respondent No. 2 has effected compromise with all the accused and duly made the statement before the learned trial Court and at the time of appearance before the learned jurisdictional Court, statement of ASI Naveen Kumar was recorded and he has raised no objection in this regard and further, only the consent of the complainant is required for compounding of the offence and it is immaterial if one of the accused has appeared before the learned jurisdictional Court or not and respondent No. 2 has no objection, in case the FIR(supra) is quashed.

6. 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** 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 (CrI.) 1052**, this petition is allowed and FIR No.84 dated 13.10.2024 under Sections 318(4), 336(3), 338, 340, 61 of BNS, 2023 registered at Police Station Cyber Crime, District Sonipat (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

18.02.2025
Ajay Goswami

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