



CRM-M-4226-2025 (O&M)

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244 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-4226-2025 (O&M)
Date of Decision: 28.02.2025

SMT SWETA PATHAK

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Johan Kumar, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG Haryana.

None for respondents No. 2 and 3.

Harpreet Singh Brar, J. (Oral)

1. This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.269 dated 11.08.2023 under Section 406 of IPC registered at Police Station Civil Lines Sonapat District Sonapat (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 06.09.2024 (Annexure P2).

2. The following order was passed on 27.01.2025:

“This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.269 dated 11.08.2023 under Section 406 of IPC registered at Police Station Civil Lines Sonapat District Sonapat (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 06.09.2024 (Annexure P2).

Notice of motion for 28.02.2025.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State. Copy of the paper book be supplied to her during the course of day. Learned counsel for the petitioner undertakes to secure the presence of respondents No.2 & 3 before the learned trial Court at the time of recording the statement.



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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 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 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. 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 (Crl.) 1052**, this petition is allowed and FIR No.269 dated 11.08.2023 under Section 406 of IPC registered at Police Station Civil Lines Sonapat District Sonapat (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

28.02.2025
Ajay Goswami

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>