



**257-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-54459-2023 in/and
CRR-3661-2017
Date of Decision: 29.01.2025**

Ajay Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Lakhan Singh, Advocate and
Mr. A.S. Lamba, Advocate for the applicant-petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Abhishek Yadav, Advocate for the complainant.

HARPREET SINGH BRAR, J. (ORAL)

1. This revision petition has been preferred against the judgment dated 14.09.2017 passed by the learned Additional Sessions Judge, Hisar vide which, judgment of conviction dated 16.07.2014 and order on quantum of sentence dated 21.07.2014 passed by the learned Additional Chief Judicial Magistrate, Hisar in FIR No.554 dated 15.11.2007 under Sections 452/506/323/324/326 of IPC, 1860 registered at Police Station Civil Line, Hisar, District Hisar, have been upheld.

2. Vide order dated 30.10.2017, passed by the coordinate Bench of this Court, the instant revision petition stands pending admitted and sentence of the petitioner was suspended. Thereafter, due to intervention of the respectable and elderly people of the society, the matter has been resolved between the parties and they have effected a compromise dated 25.10.2023 (Annexure P-6). As such, application i.e. CRM-54459-2023 under Section 482

Cr.PC seeking quashing of FIR (supra) as well as judgment of conviction dated 16.07.2014, order of sentence dated 21.07.2014 and judgment dated 14.09.2017 on the basis of compromise deed dated 25.10.2023 was filed upon which the following order was passed on 09.01.2025:-

“Present application has been filed under Section 482 Cr.P.C. for quashing of FIR No.554 dated 15.11.2007 registered under Sections 452/323/324/326/506 of IPC at Police Station Civil Lines, Hisar, report under Section 173 Cr.P.C. dated 13.12.2007 (Annexure P-5) and judgment of conviction and order of sentence dated 16/21.07.2014 passed by learned Additional Chief Judicial Magistrate, Hisar as well as judgment dated 14.09.2017 passed by learned Additional Sessions Judge, Hisar on the basis of compromise.

*Learned counsel for the applicant/petitioner submits that during the pendency of the present petition, a compromise has been effected between the parties and relies upon the judgment passed by Hon’ble Supreme Court in **Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834**. He further submits that connected matter bearing No.CRR-471 of 2018 is also pending for 29.01.2025 and prays that the present matter be heard along with the connected matter.*

Adjourned to 29.01.2025, to be heard along with CRR-471-2018.

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. 29.01.2025.

Learned counsel for the petitioner submits that the complainant is seriously ill and bed ridden, as such, he is not in a position to appear before the learned Illaqa Magistrate for recording his statement in terms of the compromise. As such, prayer is made for recording his statement through video conferencing/WhatsApp.

Allowed as prayed for.

A copy of the order be sent to 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.
4. Considering the above mentioned facts, the main case is being taken up on Board today itself and keeping in view 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.554 dated 15.11.2007 under Sections 452/506/323/324/326 of IPC, 1860 registered at Police Station Civil Line, Hisar, District Hisar is quashed and judgment dated 14.09.2017 passed by the learned Additional Sessions Judge, Hisar, judgment of conviction dated 16.07.2014 and order on quantum of sentence dated 21.07.2014 passed by the learned ACJM, Hisar and all subsequent proceedings arising out of the same are set aside, qua the petitioner.
5. Pending CRM(s), if any, are also disposed of accordingly.

29.01.2025

Parveen kumar

(HARPREET SINGH BRAR)
JUDGE

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