

CRM-M-29262-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-29262-2024 (O&M)

Date of Decision: 30.01.2025

SANDEEP SHARMA AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kapil Gupta, Advocate
for the petitioners.

Mr. Harkesh Kumar, AAG Haryana

Ms. Kompal Arora, Advocate for
Ms. Diksha Kakkar, Advocate for respondents No. 2 and 3.

Harpreet Singh Brar, J. (Oral)

1. The petitioners through instant petition, on the basis of compromise are seeking quashing of FIR No.432 dated 08.10.2023, registered at Police Station Ladwa, District Kurukshetra (Annexure P-1), under Sections 307 and 34 of IPC, 1860 read with Section 25 of Arms Act, 1959.

2. The following order was passed on 04.06.2024:

“The petitioners through instant petition, on the basis of compromise are seeking quashing of FIR No.432 dated 08.10.2023, registered at Police Station Ladwa, District Kurukshetra (Annexure P-1), under Sections 307 and 34 of IPC, 1860 read with Section 25 of Arms Act, 1959.

Notice of motion.

Ms. Mamta Singla Talwar, DAG, Haryana and Ms. Diksha Kakkar, Advocate accept notice on behalf of respondent No. 1 State and respondent No.2 & 3 respectively. Power of attorney of respondent No.2 & 3 is taken on record.

Parties may appear before learned trial Court/Illaqa Magistrate concerned on 17.07.2024 or any other date convenient to said Court and get their statements recorded with regard to compromise. In the event of their statements being recorded, the Court will send copies of same to this Court before next date of hearing alongwith its report disclosing:

- i) genuineness and voluntary nature of compromise ;*
- ii) how many persons are nominated in FIR/police report;*
- iii) how many accused/victims have out of total accused/victims have entered into compromise;*
- iv) if there is partial compromise, what is role of the accused;*
- v) what is stage of trial, if accused already convicted, whether appeal is pending in Appellate Court;*
- vi) whether all accused/petitioners are appearing before the Court or are on bail; and*
- vii) whether any other proceeding is pending against the accused/petitioner.*

Adjourned to 20.08.2024.”

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 (CrI.) 1052**, this petition is allowed and FIR No.432 dated 08.10.2023, registered under Sections 307 and 34 of IPC, 1860 read with Section 25 of Arms Act, 1959 at Police Station Ladwa,

District Kurukshetra (Annexure P-1), along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

30.01.2025
Ajay Goswami

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No