



264

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30744-2024

Date of decision: 01.04.2025

Abhishek

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Sohrab Dhanda, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Kanwarpal Singh, Advocate
for respondents No.2 & 3.**HARPREET SINGH BRAR, J. (ORAL)**

1. This petition has been filed under Section 482 of Cr.P.C. seeking quashing of FIR No.110 dated 13.04.2023 under Sections 279/337/338 of IPC and Section 181 of Motor Vehicle Act added later on (Annexure P-1) registered at Police Station Sector 5, Panchkula on the basis of compromise deed dated 04.06.2024 (Annexure P-2).

2. On 20.11.2024, the following order was passed:-

“The petitioner has approached this Court seeking quashing of FIR (Annexure P-1) and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

This Court finds that a formal notice has not been issued so far.

Let notice of motion be issued to the respondents.

At this stage, Mr. Munish Sharma, DAG, Haryana, upon whom an advance copy of petition had already been served, accepts notice on behalf of the respondent-State.

Mr. Guradesh Singh Cheema, Advocate has put in appearance on behalf of respondents No.2 & 3 and has filed Vakalatnama, which is taken on record.

Since the FIR sought to be quashed on the basis of compromise, this Court deems appropriate that the statements of the parties qua the factum of compromise be recorded.

List again on 1.4.2025.

The parties are directed to move an application before the trial Court/Illaq Magistrate concerned for getting their statements recorded qua the factum of compromise. As and when any such



CRM-M-30744-2024

-2-

application is moved and put up before the trial Court/Illaq Magistrate, the trial Court/Illaq Magistrate shall consider the said application and do the needful for recording the statements of the parties qua the factum of the compromise, on any convenient date. After recording the statements of all the affected parties, and upon getting requisite information from Investigating Officer, the trial Court/Illaq Magistrate shall submit its report on the basis of the statements so recorded, broadly on the following aspects:

(i) Whether there is any other accused other than the petitioner, arrayed in this petition.

(ii) Whether there is any other complainant or affected/aggrieved party other than the respondents, arrayed in the petition.

(iii) Whether any accused has been declared Proclaimed Offender?

(iv) Whether the compromise in question is found to be a valid compromise and has been effected without there being any kind of influence or coercion?

The report be submitted before this Court on or before the next date.”

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.110 dated 13.04.2023 under Sections 279/337/338 of IPC and Section 181 of Motor Vehicle Act added later on (Annexure P-1) registered at Police Station Sector 5, Panchkula along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

01.04.2025

Neha

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