



CRM-M-41299-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-41299-2023 (O&M)

Date of Decision: 25.03.2025

TUSHAR AND OTHERS

...PETITIONERS

Versus

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anubhav Siwach, Advocate
for the petitioners.

Mr. A.K. Singla, AAG Haryana.

Mr. Vikas Saroha, Advocate
for respondents No. 2 to 6.

Harpreet Singh Brar, J. (Oral)

1. The present petition has been filed for quashing of FIR No.48 dated 23.02.2023 registered under Sections 323, 324, 34, 427, 452 and 506 IPC at Police Station Sector-17, HUDA Jagadhri, District Yamuna-Nagar and all subsequent proceedings on the basis of compromise dated 19.04.2023 (Annexure P-2).
2. The following order was passed on 21.08.2023:

“The present petition has been filed for quashing of FIR No.48 dated 23.02.2023 registered under Sections 323, 324, 34, 427, 452 and 506 IPC at Police Station Sector-17, HUDA Jagadhri, District Yamun-Nagar and all subsequent proceedings on the basis of compromise.

Notice of motion for 17.11.2023.

On asking of the Court, Mr. Krishan K.Chahal, Addl. Advocate General, Haryana, accepts notice on behalf of the State. Mr. Vikas Saroha, Advocate, accepts notice on behalf of the complainant-respondent Nos. 2 to 6.

Learned counsel for the petitioners is directed to supply copy of the paper book to the counsel opposite during course of the day.



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Let the parties now appear before the Trial Court/Illaqa Magistrate on 15.09.2023 or any other date convenient to the Court for recording their statements with regard to compromise. The Trial court/Illaqa Magistrate is directed to record the statements of both the parties to its satisfaction to know the genuineness of the compromise and to assess that the statements are not the result of any pressure or coercion in any manner. The Trial Court/Illaqa Magistrate is also directed to send a report along with statements of the parties with regard to validity or otherwise of the compromise effected between the parties. It shall also be reported whether petitioners have been declared Proclaimed Offenders in this case or not.”

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. 48 dated 23.02.2023 registered under Sections 323, 324, 34, 427, 452 and 506 of Indian Penal Code at Police Station Sector-17, HUDA Jagadhri, District Yamuna-Nagar along with all subsequent proceedings arising therefrom are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

25.03.2025

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No