

CRM-M-43608-2024 (O&M)

1

297

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-43608-2024 (O&M)

Date of Decision: 29.01.2025

SUSHMA AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Narender Kaajla, Advocate
for the petitioners.

Mr. Harkesh Kumar, AAG Haryana.

Mr. Mohan Singla, Advocate
for respondent No. 2.

Harpreet Singh Brar, J. (Oral)

1. Prayer in this petition filed under Section 482 of Cr.P.C. is for quashing of FIR No. 642 dated 11.08.2017 under Sections 419, 420, 467, 468, 471 and 120-B of Indian Penal Code registered at Police Station Hisar Civil Lines Hisar (Annexure P-1) along with all the subsequent proceedings arising therefrom, on the basis of compromise dated 28.05.2024 (Annexure P-3).

2. The following order was passed on 06.09.2024:

“The petitioners have 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.

Notice of motion for 29.01.2025.

At this stage, Mr. Mohan Singla, Advocate, has put in appearance on behalf of respondent No.2 and has filed power of attorney, which is taken on record.

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 application is moved and put up before the trial Court/Illaqa Magistrate, the trial Court/Illaqa 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/Illaqa 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 (CrI.) 1052**, this petition is allowed and FIR No. 642 dated 11.08.2017 under Sections 419, 420, 467, 468, 471 and 120-B of Indian Penal Code registered at Police Station Hisar Civil

Lines Hisar (Annexure P-1) along with all subsequent proceedings arising there-
from are quashed, qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

29.01.2025
Ajay Goswami

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