



291 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-47784-2023 (O&M)

Date of Decision: 28.01.2025

ANKIT KUMAR

...Petitioner

V/S

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Jitesh Bhardwaj, Advocate with
Mr. Sudhir Rana, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG Haryana.

Mr. Abhishek Kharab, Advocate for
Mr. Sumit Chahal, Advocate for respondents No. 2 and 3.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed under Section 482 of Cr.P.C. seeking quashing of FIR No. 160 dated 06.07.2023 under Sections 323, 332, 333, 353 and 506 of Indian Penal Code (Sections 332, 333, 353 of IPC added later on) registered at Police Station Radaur, District Yamuna Nagar and all other subsequent proceedings arising therefrom on the basis of compromise.

2. Following order was passed on 16.11.2023:

“Learned counsel for the petitioner submitted that the petitioner has clean antecedents and is not involved in any other case.

Notice of motion.

Mr. Naveen Kumar Sheoran, DAG, Haryana accepts notice on behalf of respondent No.1 and Mr. Sumit Chahal, Advocate has caused appearance and filed his Vakalatnama on behalf of respondent Nos.2 & 3. Both the counsels pray for some time to file their respective replies in the present case.

On their request, adjourned to 21.03.2024.

Let respective replies be filed before the next date of hearing with an advance copy to the learned counsel for the petitioner.”

3. In compliance of aforesaid order, reply by way of affidavit of Ashish Chaudhary HPS, Deputy Superintendent of Police Radaur, Yamuna Nagar has been filed. Same is taken on record. Perusal of para No. 10 of the said reply indicates that as per the investigation, there is only one accused in the present case and in this regard on 03.11.2023, the complainant joined the investigation of the case and also made a statement before the police stating therein that except the petitioner, there is no culprit in the present case and further the petitioner has not been declared as proclaimed offender in the present case and no other criminal case has been registered against the petitioner and further para No. 13 of the aforementioned reply indicates that the compromise has been effected between the parties, however, the compromise cannot dilute the offence involved, which are non-compoundable.

4. Mr. Abhishek Kharab, Advocate for Mr. Sumit Chahal, Advocate has appeared for respondents No. 2 and 3 and submits that the private respondents have no objection in case the FIR(supra) is quashed qua the petitioner on the basis of compromise.

5. 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. 160 dated 06.07.2023 under Sections 323, 332, 333, 353 and 506 of Indian Penal Code (Sections 332, 333, 353 of IPC added later on) registered at Police Station Radaur, District

Yamuna Nagar along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

28.01.2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>