



280 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-49877-2024
Date of decision: 05.03.2025

PRASHANT SHARMA

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kunal P. Choksi, Advocate
for the petitioner.

Mr. Harkesh Kumar, AAG, Haryana &
Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Harjap Dhanoa, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.488 dated 17.08.2024 under Sections 125/281/324(4)/351(2)/351(3) of Bharatiya Nyaya Sanhita, 2023 registered at Police Station Sector-10, District Gurugram, Haryana (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 22.08.2024 (Annexure P-2).

2. The following order was passed on 04.10.2024 :-

"The petitioner seeks 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 05.03.2025.

At this stage, Mr. Harjap Dhanoa, 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/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 46***, 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.488 dated 17.08.2024 under Sections 125/281/324(4)/351(2)/351(3) of Bharatiya Nyaya Sanhita, 2023 registered at



Police Station Sector-10, District Gurugram, Haryana (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

March 05, 2025
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(HARPREET SINGH BRAR)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |