



CRM-M-58213-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARHCRM-M-58213-2024 (O&M)
Date of Decision: 03.02.2025

SHARAD CHAND

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Parmod Kumar, Advocate
for the petitioner.

Mr. Harkesh Kumar, AAG Haryana

Ms. Jyotsna Saini, Advocate for
Mr. Ashish Yadav, Advocate for respondent No. 2.

Harpreet Singh Brar, J. (Oral)

1. The prayer in the present petition filed under Section 482 of Cr.P.C is for quashing of FIR No. 381 dated 13.12.2023 under Sections 323, 325, 506 of Indian Penal Code registered at Police Station Sector 56, Gurugram District Gurugram and all subsequent proceedings arising therefrom on the basis of compromise dated 16.11.2024 arrived between the parties.

2. The following order was passed on 26.11.2024:

“The prayer in the present petition filed under Section 482 of Cr.P.C is for quashing of FIR No. 381 dated 13.12.2023 under Sections 323, 325, 506 IPC registered at Police Station Sector 56, Gurugram and all subsequent proceedings arising therefrom on the basis of compromise dated 16.11.2024 arrived between the parties.

Notice of motion.

At the asking of the Court, Mr. Karan Sharma, DAG, Haryana appears and accepts notice on behalf of respondent No.1-State. A copy of the paper book be supplied to him during the course of the day.



Ms. Jyotsana Saini, Advocate for Mr. Ashish Yadav, Advocate has appeared on behalf of respondent No.2 and has filed Vakalatnama in the Court today. The same is taken on record. He affirms the factum of compromise between the parties.

Let the parties to appear before the trial Court/Duty Magistrate, as the case may be, within a period of 30 days, for getting their statements recorded with regard to the compromise. The statements of the parties with regard to the compromise may be recorded on the same day or on any other day convenient to trial Court/Duty Magistrate but not later than six days thereof. Trial Court is directed to report on the following points:-

- (i) how many total accused are facing the trial;*
- (ii) whether challan is presented in the Court? If so, against how many accused;*
- (iii) whether any of the accused was declared proclaimed offender at any stage of trial;*
- (iv) status/stage of the trial/case;*
- (v) to record the statements of all the concerned parties with regard to the genuineness and validity or otherwise of the compromise;*
- (vi) to record the statement of Investigating Officer with regard to points No.(i), (ii), (iii) and (iv) as above.*

Report be sent through the District & Sessions Judge, before the next date of hearing.

Adjourned to 03.02.2025.

The petitioner shall deposit costs of Rs.10,000/- with the concerned District Legal Services Authority on or before the date of recording of their statements and produce copy of receipt before the Trial Court/Duty Magistrate.”

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



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and another, (2014) 6 SCC 466 and Shakuntala Sawhney (Mrs) Vs. Kaush-
alya (Mrs.) and others (1980) 1 SCC 63 and Full Bench of this Court in Kul-
winder Singh Vs. State of Punjab 2007 (3) RCR (CrI.) 1052, this petition is
allowed and FIR No. 381 dated 13.12.2023 under Sections 323, 325, 506 of
Indian Penal Code registered at Police Station Sector 56, Gurugram District
Gurugram along with all subsequent proceedings arising therefrom are quashed,
qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

03.02.2025
Ajay Goswami

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