

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:117820



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CRM-33356-2025 in/and
CRM-M-47765-2024 (O&M)
Date of decision:01.09.2025

Raj Kumar & others

... Petitioners

Vs.

State of Haryana & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA.

Present: Mr. Rajender Kumar, Advocate for the petitioners.

Mr. Apoorv Garg, Additional Advocate General, Haryana.

Ms. Neha Rani, Advocate for

Ms. Digantika, Advocate for respondents No.2 and 3.

...

MANISHA BATRA, J. (ORAL).

CRM-33356-2025:

Prayer in this application is for recalling of the order dated 27.05.2025, whereby the petition was ordered to be dismissed for non-prosecution due to non-appearance of the petitioners.

It is submitted by learned counsel for the petitioners that on account of some medical emergency, he could not appear before this Court. The petitioners were also not informed. Their absence was not intentional but due to the reasons as mentioned in the application. It is, therefore, urged that the application may be allowed.

Learned State counsel as well as counsel for the respondents No.2 and 3 have no objection if the application is allowed. Accordingly, the

same is allowed and order dated 27.05.2025 is recalled. The main case is ordered to be restored to its original number and be taken up on Board today itself.

Main case:

1. The present petition has been filed under Section 528 of Bharatiya Nagrik Suraksha Sanhita, 2023 (for short-‘BNSS’) for quashing of FIR No.0606 dated 19.09.2022, registered under Sections 109, 120-B, 148, 149, 323, 325, 326, 452, 506 IPC, at Police Station Thanesar Sadar, District Kurukshetra and all the subsequent proceedings arising therefrom, on the basis of compromise dated 09.09.2024 (Annexure P-2).

2. This Court vide order dated 24.09.2024 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before the learned Judicial Magistrate First Class, Kurukshetra and got their statements recorded. On the basis of the statements so recorded, learned Judge has submitted report dated 08.11.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Learned State counsel as well as counsel for respondents No.2 and 3 have not disputed the factum of compromise between the parties.

5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

6. Following the principles laid down by the Full Bench judgment

of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and FIR No.0606 dated 19.09.2022, registered under Sections 109, 120-B, 148, 149, 323, 325, 326, 452, 506 IPC, at Police Station Thanesar Sadar, District Kurukshetra and all subsequent proceedings arising therefrom on the basis of compromise dated 09.09.2024 (Annexure P-2) are quashed qua the petitioners.

(MANISHA BATRA)
JUDGE

01.09.2025

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Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No