

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-2972 of 2015

Date of Decision : 12.05.2015

Deepak Joshi and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr. Ashit Malik, Advocate
for the petitioners.

Mr. Kuldeep Tiwari, Addl. AG, Haryana.

Mr. Varinder Singh, Advocate
for respondent no. 2.

(Ms. Rekha-respondent no. 2 is present in person)

R.P. NAGRATH, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 93 dated 22.02.2013 for offences under Sections 406, 498-A, 323, 506 and 34 of Indian Penal Code (IPC), registered at Police Station Baldev Nagar, District Ambala on the basis of compromise.

Learned State counsel has filed the reply/affidavit of Assistant Commissioner of Police, Ambala and the same is taken on record. As per reply, the only objection at this stage is that petitioner no. 1 has not joined the investigation.

Petitioner no. 1 is of course residing abroad.

The report from the trial Court has been received after recording statements of respondent no. 2-complainant and petitioners no. 2 and 3, the parents of petitioner no. 1. and it is reported that the compromise reached between the parties is genuine, voluntary and

without any pressure. The trial Court has also sent statements in original made by the parties.

As per the terms of compromise ₹ 4 lacs as balance amount was to be paid. Learned counsel for the petitioner has handed over the said amount to respondent no. 2-complainant, who is present, in the Court today.

Learned counsel for respondent no. 2-complainant submits that in view of the aforesaid facts the instant petition may be disposed of.

No useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

Following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007 (3) RCR (Criminal) 1052 (P&H) and approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others**, (2012)10 SCC 303, this petition is allowed and FIR No. 93 dated 22.02.2013 for offences under Sections 406, 498-A, 323, 506 and 34 IPC, Police Station Baldev Nagar, District Ambala and subsequent proceedings are quashed.

Needless to say that the parties shall remain bound by the terms and conditions of the compromise and the statements made by them.

May 12, 2015
jk

(R.P. NAGRATH)
JUDGE