

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-6085 of 2013 (O&M)
Date of Decision : 13.05.2015

Shri Om

.....Petitioner

Versus

State of Haryana and another

.....Respondents

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

Present: Mr. Ritesh Pandey, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

None for respondent no. 2.

R.P. NAGRATH, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 469 dated 02.11.2012 for offences under Sections 148, 149, 447, 427 and 506 of Indian Penal Code (IPC), registered at Police Station Gannaur, District Sonapat and all subsequent proceedings arising therefrom.

The petition initially was admitted on 21.04.2014. The petitioner then moved CRM No. 16573 of 2014 that the parties have since compromised the matter and prayed for disposal of instant petition on the basis of said compromise. On 26.5.2014, a direction was issued to the trial Court for recording of statements of the parties and to report whether the compromise is voluntary. In terms of the said order, the parties did not appear before the trial Court on 09.6.2014 as directed by this Court.

As per report dated 21.03.2015 received from the trial Court, the parties appeared on 09.03.2015 and moved an application

for composition of offences on the basis of compromise and their statements were also recorded. Trial Court has also sent copies of statements made by the parties. Trial Court has also reported that though the offences could be lawfully compounded in the Court of Magistrate but the quashing of FIR is pending before this Court. Trial Court also reported that compromise reached between the parties is voluntary.

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. 469 dated 02.11.2012 for offences under Sections 148, 149, 447, 427 and 506 IPC, Police Station Gannaur, District Sonapat 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 13, 2015
jk

(R.P. NAGRATH)
JUDGE