

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 9226 of 2015.
Date of Decision : 19.05.2015.

Pintoo @ Pintoo Saini & Others

...Petitioners

Versus

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

Mr. Satish Saini, Deputy Advocate General, Haryana.

Mr. Sanjeev Roy, Advocate for the complainant/respondent
No. 2.

Tejinder Singh Dhindsa, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 04, dated 05.01.2015, under Sections 323, 506, 34 IPC (Section 307 IPC added later on), registered at Police Station City Palwal, on the basis of a compromise.

Since quashing of the FIR was sought on the basis of compromise, this Court while issuing notice of motion on 23.03.2015, had directed the parties to appear before the trial Court/Ilqa Magistrate concerned on 21.04.2015 for recording of their statements. Report as regards veracity of the compromise was also called for.

Placed on record is a report dated 30.04.2015 of the Judicial Magistrate Ist Class, Palwal and a perusal of the same would reveal that the statements of the complainant, namely, Jai Pal Saini as also of the accused i.e. the present petitioners have been duly recorded and it has been opined that a compromise has been effected

between the parties without any pressure or coercion.

Even learned counsel appearing for the complainant/respondent No. 2 in Court today makes a statement that he would have no objection to the quashing of the FIR in pursuance to the compromise having been effected.

It may be noticed that even though offence under Section 307 IPC has been cited still the compromise has been entered into at the very initial stage of investigation. As such it would be a fit case for this Court to intervene even in the light of the guidelines furnished by the Hon'ble Supreme Court in *Narender Singh and others Vs. State of Punjab and another, 2014, (2) RCR(Criminal) 482* and to bring to an end the criminal prosecution initiated in the light of the impugned FIR.

Accordingly, the present petition is allowed. Impugned FIR No. 04, dated 05.01.2015, under Sections 323, 506, 34 IPC (Section 307 IPC added later on), registered at Police Station City Palwal and all proceedings emanating therefrom stand quashed.

Petition allowed.

May 19, 2015.
kanchan

(TEJINDER SINGH DHINDSA)
JUDGE