

270.

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-10083-2016

Date of decision:24.08.2016

Sandeep @ Taru

... Petitioner

versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Ms. Ruchi Mittal, Advocate,
for Mr. Surinder Singh, Advocate,
for the petitioner.

Mr. Sulinder Kumar, AAG, Haryana.

Ms. Deepika Roy, Advocate,
for Mr. Vishal Ranjan, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0005, dated 29.01.2016 under Sections 323, 324 and 326 of IPC registered at Police Station Chandigarh, GRP Ambala Cantt. (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 10.03.2016 (Annexure P-2).

This Court vide order dated 21.03.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Additional Civil Judge (Senior Division), Ambala-cum-Special Railway Magistrate, Haryana and got their statements recorded. On

the basis of the statements so recorded, learned Magistrate has submitted the

report dated 16.04.2016 to the effect that the compromise effected between parties is genuine , voluntary and without any coercion or undue influence.

Respondent No.2-complainant, namely, Harmesh Singh has made his statement with regard to compromise before learned Magistrate on 06.04.2016 whereby he has shown no objection to the FIR being quashed.

The learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

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

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 F.I.R. No.0005, dated 29.01.2016 under Sections 323, 324 and 326 of IPC registered at Police Station Chandigarh, GRP Ambala Cantt. (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 10.03.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

24.08.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.