

277+122.

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

CRM-M-12557-2016 (O&M)

Date of decision:04.08.2016

Surjan Singh and another

... Petitioners

versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.B.K. Bagri, Advocate,
for the petitioners.

Mr. Sulinder Kumar, AAG, Haryana.

Ms. Meenakshi Malik, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

CRM-23276-2016

Application is allowed, as prayed for. Reply filed on behalf of
respondent No.2 is taken on record subject to all just exceptions.

CRM-M-12557-2016

Prayer in this petition filed under Section 482 Cr.P.C. is for
quashing of F.I.R. No.162, dated 27.08.2011 under Sections 420/467/
468/471 of IPC, registered at Police Station Balwal, District Rewari and all
subsequent proceedings arising therefrom on the basis of compromise
(Annexure P-3).

This Court vide order dated 11.04.2016 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 Chief Judicial Magistrate, Rewari and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted the report dated 05.07.2016 to the effect that the compromise has been effected between parties without any fear or pressure upon them.

Respondent No.2-complainant, namely, Vipin Kumar has made his statement with regard to the compromise before learned Magistrate on 10.05.2016. The same is being reproduced as under:-

“Stated that a compromise has been effected between us.

We have amicably settled our dispute without any fear and pressure from any side. We tender on file the certified copy of plaint, statement of parties dated 29.9.2015 and compromise dated 29.9.2015 Ex.C1 that took place in Civil Suit No.243 of 2011 titled Suran Singh Versus Charan Singh and others. Now no other litigation and dispute is pending between us.”

The learned State counsel as well as learned counsel for respondent No.2-complainant 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.162, dated 27.08.2011

under Sections 420/467/468/471 of IPC, registered at Police Station Balwal, District Rewari and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise (Annexure P-3).

(HARI PAL VERMA)
JUDGE

04.08.2016

sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.