

276.

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

CRM-M-12655-2016

Date of decision:09.08.2016

Kapil

... Petitioner

versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Deepender Singh, Advocate,
for the petitioner.

Mr. Sulinder Kumar, AAG, Haryana.

None 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.733, dated 02.10.2014 under Sections 420, 406, 467, 468, 471, 34 IPC, registered at Police Station Gurgaon Sadar, District Gurgaon and all subsequent proceedings arising therefrom on the basis of compromise/settlement arrived at between parties (Annexure P-2).

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, Gurgaon and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted the report dated 17.06.2016 to the effect that the compromise effected between parties is genuine, voluntarily and without

any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Manish Singh, but no prejudice would be caused to him as he has already made his statement with regard to the compromise before learned Magistrate on 13.05.2016, whereby he has shown no objection to the FIR being quashed.

The learned State counsel on instructions from ASI Surinder Singh has not disputed the factum of compromise arrived at between 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.733, dated 02.10.2014 under Sections 420, 406, 467, 468, 471, 34 IPC, registered at Police Station Gurgaon Sadar, District Gurgaon and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise/settlement arrived at between parties (Annexure P-2).

(HARI PAL VERMA)
JUDGE

09.08.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.