

266.

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

CRM-M-16448-2016

Date of decision:07.09.2016

Laxman alias Pinnu and others

... Petitioners

versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Ashok Sharma, Advocate,
for Mr. Arun Sharma, Advocate,
for the petitioners.

Mr. A.K. Chahal, AAG, Haryana.

Mr. Ankit Aggarwal, 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.252 dated 12.10.2012, under Section 356 IPC, registered at Police Station Kunjpura, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 26.04.2016 (Annexure P-2).

Reply by way of affidavit of Vivek Chaudhary, HPS, Deputy Superintendent of Police, Karnal, filed in court on behalf of respondent No.1, is taken on record.

This Court vide order dated 12.05.2016 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, parties have appeared before learned Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Karnal and got their statements recorded. On the basis of the statements so

recorded, learned Magistrate has submitted the report dated 06.07.2016 to the effect that the compromise effected between parties is genuine and the same has been executed voluntarily and out of free will by the parties.

Respondent No.2-complainant, namely, Parveen Kumar has made his statement with regard to compromise before learned Magistrate on 24.06.2016 whereby he has stated that he has compromised the matter with the accused i.e. Billu, Vivek and Laxman in case FIR No.252/12, under Section 356 IPC, registered at Police Station Kunjpura and he has no objection if the said case is quashed.

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.252 dated 12.10.2012, under Section 356 IPC, registered at Police Station Kunjpura, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 26.04.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

07.09.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.