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

CRM-M-16525-2016

Date of decision:02.09.2016

Harpreet Sharma @ Bawa and another

... Petitioners

versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Ramesh Kumar Dhaniya, Advocate,
for the petitioners.

Mr. Sulinder Kumar, AAG, Haryana.

Mr. D.K. Bhatti, 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.91 dated 27.03.2014 under Section 384 IPC and Sections 165, 217, 419, 420 IPC (added lateron), registered at Police Station Chandimandir, District Panchkula (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 30.04.2016 (Annexure P-2).

This Court vide order dated 13.05.2016 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, the parties have appeared before learned Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Panchkula and got their statements recorded. On the basis of the

statements so recorded, learned Magistrate has submitted the report dated 01.06.2016 to the effect that the compromise effected between parties is genuine, voluntary and out of free-will of the parties.

Respondent No.2-complainant, namely, Surender Singh has made his statement with regard to the compromise before learned Magistrate on 01.06.2016 to the effect that he has no objection if the FIR, in question, 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.91 dated 27.03.2014 under Section 384 IPC and Sections 165, 217, 419, 420 IPC (added lateron), registered at Police Station Chandimandir, District Panchkula (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 30.04.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

02.09.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.