

274.

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

CRM-M-17046-2016

Date of decision:05.10.2016

Buddan

... Petitioner

versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Kirpal Singh Thakur, Advocate,
for the petitioner.

Mr. Manish Bansal, DAG, Haryana,
for respondent No.1.

None for respondents No.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.176 dated 25.03.2016 under Sections 279, 337, 427 IPC, registered at Police Station City Palwal, District Palwal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 10.05.2016 (Annexure P-2).

This Court vide order dated 17.05.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded 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 Judicial Magistrate Ist Class, Palwal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 06.06.2016 to the effect that the compromise effected

between parties is genuine, voluntary and without any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Uday Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 03.06.2016 to the effect that he has no objection if the above said FIR against the accused is quashed.

A similar statement has also been made by the injured, namely, Lokesh-respondent No.3 whereby he has shown no objection to the FIR being quashed.

Learned State counsel has 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 case.

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.176 dated 25.03.2016 under Sections 279, 337, 427 IPC, registered at Police Station City Palwal, District Palwal (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 10.05.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

05.10.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.