

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.M-19599 of 2016 (O&M)

Date of decision: 15.12.2016

Gurdial Singh and others

..Petitioners

Versus

State of Haryana and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Gaurav Sethi, Advocate,
for the petitioners.

Mr. Apoorv Garg, DAG, Haryana

Mr. Gagandeep Singh, Advocate,
for respondent no.2.

ANITA CHAUDHRY, J. (Oral)

The instant petition is for quashing of FIR No.228, dated 27.08.2014, registered under Sections 498-A, 323, 406, 506 and 34 IPC, Police Station Taraori, District Karnal and all the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. The trial Court has reported that petitioner no.1 has died and proceedings has been dropped. The trial Court has further reported that the compromise is genuine and the same has been executed voluntarily and out of free will of the parties. The trial court has also sent original statements of parties. Photocopy of death certificate of petitioner no.1-Gurdial Singh has been placed on record by State counsel.

Learned counsel for the State on instructions submits that

petitioner no.4 was not challaned and kept in column no.2. He further says that petitioners are the only accused and respondent no.2 is the only aggrieved person in this FIR.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal), 1052**, approved by Hon'ble Apex Court in **Gian Singh vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed qua the petitioners.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

December 15, 2016
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(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No