

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

CRM-M-19717 of 2016.
Decided on:-06.10.2016.

Joginder and others

.....Petitioners.

Versus

State of Haryana and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Vikrant Hooda, Advocate
for the petitioners.

Mr. Sulinder Kumar, AAG, Haryana.

Ms. Bhawna Grewal, Advocate for
Mr. Sandeep Yadav, Advocate
for the respondent No.2-complainant.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.177 dated 10.7.2007 under Sections 148, 149, 332, 353 and 506 IPC registered at Police Station Sadar Bahadurgarh, District Bahadurgarh (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 15.5.2016 (Annexure P-2) as well as affidavit dated 27.5.2016 (Annexure P-3).

This Court vide order dated June 01, 2016 had directed the parties to appear before the trial Court to get their respective statements recorded with regard to compromise and the Court was directed to send its report qua genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before

learned Judicial Magistrate 1st Class, Bahadurgarh and got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted her report dated 20.7.2016 to the effect that the compromise effected between the parties is without any threat or pressure from either of the sides and is a valid compromise.

The factum of compromise between the parties has not been disputed by learned State counsel as well as learned counsel for respondent No.2-complainant.

I have heard learned counsel for the parties.

Perusal of the report submitted by learned Magistrate reveals that joint statement of the petitioners-accused as well as respondent No.2-complainant has been recorded by learned Magistrate on 20.7.2016 to the effect that the matter has been compromised between the parties and the same is without any threat, coercion and undue influence from the accused side and is a volunteer act of 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 FIR No.177 dated 10.7.2007 under Sections 148, 149, 332, 353 and 506 IPC registered at Police Station Sadar

Bahadurgarh, District Bahadurgarh (Annexure P-1) and all consequential proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 15.5.2016 (Annexure P-2) as well as affidavit dated 27.5.2016 (Annexure P-3).

October 06, 2016

Yag Dutt

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned:

Yes / No

Whether Reportable:

Yes / No