

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

**CRM-M No. 19939 of 2016
Date of decision: 06.10.2016**

Lajpat Sharma & Others

...Petitioners

Vs.

State of Haryana & Another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present : Ms. Meenakshi Poswal, Advocate for
Mr. R. S. Mamli, Advocate
for the petitioners.

Mr. Sanjay K. Saini, AAG, Haryana
for respondent No. 1-State.

None for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

Petitioners Lajpat Sharma, Ashu @ Ashish Sharma and Himanshu Sharma @ Chotu have filed the present petition under Section 482 Cr.P.C. for quashing the FIR No. 0311 dated 21.05.2016, under Sections 323, 34, 354(A), 354(B), 506 and 509 of the Indian Penal Code, registered at Police Station Sector 5, Gurgaon (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 26.05.2016 (Annexure P-2).

Upon notice, reply by way of affidavit has been filed on behalf of respondent No. 1-State. The same is taken on record. Copy of the same has been furnished to the counsel for the petitioner. In which, it is submitted that after investigation, a cancellation report has been prepared by the SHO, Police Station Sector 5, Gurgaon. In the affidavit, it is also submitted that the petitioners were never declared proclaimed

offenders and no other FIR is registered against them.

Consequently, in view of the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and others Vs. State of Punjab and another 2007(3) RCR (CrI.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, the present petition is allowed and FIR No. 0311 dated 21.05.2016, under Sections 323, 34, 354(A), 354(B), 506 and 509 of the Indian Penal Code, registered at Police Station Sector 5, Gurgaon (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

October 06, 2016
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No