

289.

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

CRM-M-23920-2016

Date of decision:21.11.2016

Tejinder Singh and others

... Petitioners

versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Shilak Ram Hooda, Advocate,
for the petitioners.

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

None for respondent No.2.

HARI PAL VERMA, J.(*Oral*)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of Complaint Case No.28/2016 dated 26.02.2016/10.01.2012, registered against the petitioners under Sections 3(1)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and all subsequent proceedings arising therefrom on the basis of compromise entered into between parties.

This Court vide order dated 04.10.2016 had directed the parties to appear before the trial Court/Illaq Magistrate 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 Additional District & Sessions Judge, Panchkula and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 26.10.2016 to the effect that the compromise has been arrived at between parties without any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Omparkash but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 25.10.2016. The same is reproduced as under:-

“Stated that we both the parties have entered into an compromise with regard to present matter of dispute on 03.07.2016 with the intervention of the respectable and elders of the village. Now there is no dispute or differences between us. The compromise has been effected between me and the accused persons without any undue influence, coercion or pressure from any side. Now I want to withdraw the present case against the accused persons.”

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 Complaint Case No.28/2016 dated 26.02.2016/10.01.2012, registered under Sections 3(1)(x) of Scheduled

subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise entered into between parties.

(HARI PAL VERMA)
JUDGE

21.11.2016
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Whether speaking/reasoned	Yes/No.
Whether Reportable:	Yes/No.