

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

CRM-M-25996 of 2016

Date of decision: 21.11.2016

Ravi Kumar and another

----Petitioner (s)

V/s

State of Haryana & another

-----Respondent(s)

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

Present:- Mr.Aman Bansal, Advocate for the petitioners.

Mr. Manish Bansal, DAG, Haryana.

Mr. Rahul Sharma-I, Advocate for respondent
No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.637 dated 04.09.2015 for offence under Sections 420 and 120-B (Sections 467, 468, 471 IPC deleted and Section 406 IPC added later on), registered at Police Station City Yamuna Nagar and all consequential proceedings arising thereto on the basis of compromise dated 19.07.2016 (Annexure P-2).

This Court vide order dated 01.08.2016 had directed the parties to appear before Illaqa Magistrate/ trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/trial Court was directed to submit its report qua the genuiness of the compromise.

Pursuant to the aforesaid order dated 01.08.2016, the parties have appeared before learned Chief Judicial Magistrate Yamuna Nagar at Jagadhri and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 15.09.2016 to the effect that the parties have willfully settled their differences and reached at a bona fide compromise without any pressure and the same is genuine.

Mr. Rahul Sharma, Advocate has put in appearance on behalf of respondent No.2 and filed Memo of Appearance in Court today which is taken on record. While admitting the factum of compromise entered between the parties, he submits that complainant-respondent No.2, namely, *Parmod Kumar son of Sh. Jai Kishan* has already suffered a statement before the Magistrate on 08.09.2016 to the effect that he has compromised the matter with the accused/petitioners with own sweet will and without any pressure and has no objection in case the present FIR is quashed on the basis of compromise.

Apart from the statement of the complainant-respondent No.2, whereby he has shown no objection to the FIR being quashed, there is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Learned State counsel does not dispute the factum of compromise entered between the parties.

Accordingly, following 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 (P&H)***, as approved

by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.637 dated 04.09.2015 for offence under Sections 420 and 120-B (Sections 467, 468, 471 IPC deleted and Section 406 IPC added later on), registered at Police Station City Yamuna Nagar and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 19.07.2016 (Annexure P-2).

21.11.2016

Anjal

**[HARI PAL VERMA]
JUDGE**

Whether speaking/reasoned?

Yes

Whether reportable?

Yes/No