

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

CRM-M-27082 of 2016.
Decided on:-23.11.2016.

Manoj Kumar and another

.....Petitioners.

Versus

State of Haryana and another

.....Respondents.

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

Present:- Mr. K.D.S. Hooda, Advocate for
Mr. Deepak Kaushal, Advocate
for the petitioners.

Mr. Vishal Garg, Addl. A.G., Haryana.

Mr. H.P.S. Bhinder, 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.282 dated 26.12.2013 under Sections 323, 452 and 506 read with Section 34 IPC registered at Police Station Sadar Dabwali, District Sirsa (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 22.7.2016 (Annexure P-2).

This Court vide order dated August 08, 2016 had directed the parties to appear before the Illaqa Magistrate/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, Dabwali and got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted his report dated 23.8.2016 to the effect that the compromise arrived at between the parties is genuine, voluntary and without any coercion or undue influence.

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 statement of respondent No.2-complainant Krishna Devi has been recorded by learned Magistrate on 20.8.2016 wherein she has stated that the matter has been compromised with the accused persons and she does not have any animosity towards them. Thus, there is nothing on record to doubt about the genuineness of compromise arrived at 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 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.282 dated 26.12.2013 under

Sections 323, 452 and 506 read with Section 34 IPC registered at Police Station Sadar Dabwali, District Sirsa (Annexure P-1) and all consequential proceedings arising therefrom are quashed on the basis of compromise dated 22.7.2016 (Annexure P-2) effected between the parties.

November 23, 2016
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No