

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

CRM-M-30643 of 2016
Date of decision: 12.12.2016

Gurdeep Singh and others

----Petitioner (s)

V/s

State of Haryana and another

-----Respondent(s)

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

Present:- Mr.S.S.Momi, Advocate for the petitioners.

Mr.Vikas Malik, DAG, Haryana.

None for complainant-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.137 dated 15.05.2011 under Sections 323/324/326/506/34 IPC, registered at Police Station Pehowa, District-Kurukshetra(Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 22.08.2016 (Annexure P-3).

This Court vide order dated 01.09.2016 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 genuineness of the compromise.

Pursuant to the aforesaid order dated 01.09.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Pehowa and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 05.10.2016 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.

Though, today no one is present on behalf of complainant, respondent No.2, but no prejudice would be caused to him, as he has already suffered a statement with regard to compromise before learned Magistrate on 28.09.2016 to the effect he has compromise the matter with the petitioners/accused persons without any pressure and has no objection if the FIR in question is quashed against petitioners/accused persons.

Apart from the statement made by complainant/respondent No.2-Mahinder Singh, 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 counsel 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.137 dated 15.05.2011 under Sections 323/324/326/506/34 IPC, registered at Police Station Pehowa District-Kurukshetra(Annexure P-1) and all consequential proceedings arising therefrom, are quashed qua petitioners in view of the compromise dated 22.08.2016 (Annexure P-3).

12.12.2016
Anjal

[HARI PAL VERMA]
JUDGE

Whether speaking/reasoned?
Whether reportable?

Yes
Yes/No