

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

**Criminal Misc. No. M-4127 of 2016
Date of Decision:-18.11.2016**

Nirmala Devi and another

...Petitioners

Versus

State of Haryana and another

...Respondents

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

Present:- Mr. Vijay Saini, Advocate
for the petitioners.

Mr. Manish Bansal, Deputy A.G., Haryana.

Mr. M.S. Kathuria, Advocate
for the complainant.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.181 dated 24.5.2014, under Sections 323, 324, 452, 506, 34 IPC, registered at Police Station Safidon, District Jind (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 25.1.2016 (Annexure P-3).

Vide order dated 11.5.2016, this Court had directed the parties to appear before the Illaqa Magistrate to get their statements recorded and the learned Magistrate was directed to forward a report about the genuineness of the compromise to this Court.

In compliance of the order dated 11.5.2016, the parties have appeared before the learned Magistrate on 20.5.2016 for getting their statements recorded.

The report dated 23.5.2016 received from the learned SDJM, Safidon, Jind, reveals that the compromise has been effected between the parties without any undue pressure.

The complainant Dayanand Bhargav has made made his statement before the SDJM, Safidon, on 20.5.2016 to the effect that FIR No.181 dated 24.5.2014 was registered on his complaint. Now, he has compromised the matter with Nirmala Devi wife of Ramphal, Jat and Yudhvir son of Ramphal, Jat, residents of Ward. No.1, Rampura road, Safidon. Now, there is no grouse in between them. The compromise has been effected by their own sweet will and without any force. He has no objection if the FIR No.181 dated 24.5.2014 is quashed.

Learned counsel appearing for respondent No.2 does not dispute the fact of compromise effected between the parties.

Learned State counsel filed the reply in the Court. Same is taken on record. Copies supplied to the opposite counsel. He does not dispute the aforesaid factual position, rather admits the factum of compromise effected between the parties.

Heard.

Since the parties have entered into a compromise and learned Magistrate has recorded their statements followed by his report, continuation of the trial arising out from the impugned FIR and

consequential proceedings would be sheer abuse of the process of law since chances of conviction are bleak.

Keeping in view the factum of compromise effected between the parties and the law laid down by this Court in the case of **Kulwinder Singh and others vs. State of Punjab and another 2007(3) RCR (Crl.) 1052 (P & H)** and as approved by Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.181 dated 24.5.2014, under Sections 323, 324, 452, 506, 34 IPC, registered at Police Station Safidon, District Jind and the consequential proceedings arising therefrom are hereby quashed qua petitioners on the basis of compromise.

November 18, 2016
Vijay Asija

(**HARI PAL VERMA**)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No