

265.

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

CRM-M-4202-2016

Date of decision:02.08.2016

Vijay Kumar Jangra

... Petitioner

versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.G.S.Sandhu, Advocate,
for the petitioner.

Mr. Sulinder Kumar, AAG, Haryana.

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 F.I.R. No.289, dated 04.04.2014 under Sections 406/ 419/ 420/ 467/468/471 IPC registered at Police Station Civil Lines, Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 27.01.2016 (Annexure P-2).

This Court vide order dated 05.02.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Chief Judicial Magistrate, Karnal and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted the report dated 29.02.2016 to the effect that the compromise effected between parties is genuine, voluntarily and without

any coercion or undue influence.

Perusal of the statements of the parties reveal that the matter has been compromised between them and they do not have any grudge against each other.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Sarabjit Singh, but no prejudice would be caused to him as he has already made his statement with regard to the compromise before learned Magistrate on 25.02.2016.

The 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 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 F.I.R. No.289, dated 04.04.2014 under Sections 406/419/420/467/468/471IPC registered at Police Station Civil Lines, Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 27.01.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

02.08.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes.
Yes/No.