

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(1) CRM-M-41547 of 2015

Anurag Gupta and anotherPetitioners

Versus

State of Haryana and anotherRespondents

AND

(2) CRM-M-5282 of 2016

Baljeet @ Murga and othersPetitioners

Versus

State of Haryana and anotherRespondents

Date of Decision: 16.12.2016

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Upender Prashar, Advocate for the petitioners.
in both cases.

Mr.Manish Bansal, DAG, Haryana.

Mr. Saurabh Garg, Advocate for respondent No.2
in both cases.

HARI PAL VERMA, J. (ORAL)

This order shall dispose of CRM-M-41547 of 2015, titled
'Anurag Gupta and others vs. State of Haryana and others' and CRM-
M-5282 of 2016, titled 'Baljeet @ Murga and others vs. State of
Haryana and others' as prayer in both the petitions is for quashing of
FIR No.346 dated 27.10.2015 for offence punishable under Sections
148, 427, 452 and 506 read with Section 149 IPC, registered at Police
Station Civil Lines, District Kaithal(Annexure P-1) and all the

consequential proceedings arising therefrom on the basis of compromise deed dated 03.11.2015.

This Court vide order dated 08.12.2015 had directed the parties to appear before the learned Chief Judicial Magistrate, Kaithal on 17.12.2015 to get their statements recorded with regard to compromise and the learned Magistrate was directed to submit a detailed report about the genuineness of the compromise alongwith copies of the statements of parties so recorded.

Pursuant to the aforesaid order dated 08.12.2015, the parties have appeared before learned Chief Judicial Magistrate, Kaithal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 18.01.2016 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.

The statement made by complainant-respondent No.2-Santron Devi wife of Om Parkash before the learned Magistrate on 08.01.2016, reads as under:-

“Stated that in the present case, a compromise has been effected between me and all the accused namely Anurag Gupta(Advocate) son of Sh. Ravi Parkash Gupta, Meetu Gupta wife of Anurag Gupta, both residents of Professer Colony, Kaithal, Naresh son of Amrit Lal resident of Village Ujhana, Distt. Jind, Balram son of Ramchander, Tarsem son of Shamsher Singh, Sushil son of Karambir Singh, all residents of Village Phulian Khurd, Distt. Jind, Gurdayal son of Jarnail Singh resident of Kanha Khera, Distt. Jind, Baljeet @ Murga son of Rampal resident of Gali No.5 Friends Colony, Karnal Road,

Kaithal and Amarjeet @ Jeetu son of Balwan Singh resident of Kamal Wala, P.S. Tohana, Distt. Fatehabad in F.I.R. No.346 dated 27.10.2015 under Sections 148, 149, 452, 506, 427 IPC P.S. Civil Lines, Kaithal without any pressure, coercion or undue influence. The said compromise has been effected to maintain peace and harmony between the parties with free state of mind. As per the compromise I have no objection if F.I.R. No.346 dated 27.10.2015 under Sections 148, 149, 452, 506, 427 IPC P.S. Civil Lines, Kaithal and all the subsequent proceedings thereto is quashed by the Hon'ble High Court of Punjab and Haryana at Chandigarh in CRM-M-41547-2015.”

Apart from the statement made by complainant-respondent No.2-Santron Devi, whereby she 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 as well as learned counsel for respondent No.2 have not disputed 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, both the petitions are allowed and FIR No.346 dated 27.10.2015 for offence punishable under Sections 148, 427, 452 and 506 read with Section 149 IPC, registered at Police Station Civil Lines, District Kaithal(Annexure P-1), and all other

subsequent proceedings arising out of the said FIR are quashed qua all the petitioners in both cases on the basis of compromise.

16.12.2016
Anjal

(HARI PAL VERMA)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>Yes/No</i>