

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

**Crl. Misc. No.M-4505 of 2016 (O&M)
Date of decision : 04.11.2016**

Ajay Gautam @ Deepak Gautam and others

.....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sukesh K. Jindal, Advocate
for the petitioners.

Mr. Kuldip Singh, DAG, Haryana.

Mr. Lakshay Bajaj, Advocate
for respondent nos.4 to 8.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No.212 dated 12.06.2014, registered under Sections 323, 506, 406, 498-A IPC, Police Station Punhana, District Mewat Nuh and the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. The trial Court has reported that the compromise is voluntary and without any pressure or coercion. The trial Court has also sent original statements of parties.

Counsel for the petitioners says that in terms of compromise, a demand draft of Rs.4 lacs has been handed over to the counsel for the private respondents.

Learned counsel for the State on instructions submits that total nine accused have been arrayed in the aforesaid FIR, out of which arrest of five accused persons namely Kapil Gautam, Lavina, Parshant Gautam, Shikha and Dinesh Gautam is pending and present petitioners namely Ajay Gautam @ Deepak Gautam, Sudhakar Gautam, Bimla Devi and Kiran Devi had appeared before the lower Court for recording their statement with respect to compromise. State counsel further says that respondents no.2 & 3 are the only aggrieved persons in this FIR.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, approved by Hon'ble Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed only qua the petitioners.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

04.11.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No