

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

**CRM NO. M-4912 of 2016
Date of decision:- May 10, 2016**

SHIV KUMAR

...Petitioner...

versus

STATE OF HARYANA AND OTHERS

...Respondents...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Harminderjeet Singh, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana,
for respondent No.1-State.

Mr. S.K. Sharma, Advocate,
for respondents No.2 to 4.

JASPAL SINGH, J.

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.323, dated 16.11.2013, under Sections 279, 304-A and 427 IPC, Police Station Sector Naraingarh, District Ambala along with all consequential proceedings arising thereof, on the basis of compromise dated 20.08.2015 (Annexure P-2).

2. In compliance of order dated February 11, 2016, report of learned Judicial Magistrate has been received, in which, it has been categorically observed that statements appear to be without any coercion and made with free consent. Even otherwise, the matter

involved is personal in nature, which has been amicably put at rest.

3. So, in view of above circumstances and in view of the authorities reported as **Gian Singh v. State of Punjab and another** ; 2012(4) RCR(Criminal) 543 and Kulwinder Singh & others v. State of Punjab & others; 2007 (3) RCR (Criminal) 1052, I am of the considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for their benefit and will bring peace and harmony between them.

4. Consequently, the instant petition stands allowed and FIR No.323, dated 16.11.2013, under Sections 279, 304-A and 427 IPC, Police Station Sector Naraingarh, District Ambala alongwith all other consequential proceedings arising thereof, are quashed qua the petitioner.

May 10, 2016
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(JASPAL SINGH)
JUDGE