

253.

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

CRM-M-15892-2017

Date of decision:26.07.2017

RAJ PAL SEKHON

... Petitioner

versus

STATE OF HARYANA AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Pankaj Bali, Advocate, for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana, for respondent No.1.

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.135 dated 20.07.2016 under Sections 406, 420 IPC, registered at Police Station Sector 14, Panchkula (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 30.01.2017 (Annexure P-2).

This Court vide order dated 05.05.2017 had directed the parties to appear before the trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Chief Judicial Magistrate, Panchkula and got their statements recorded. On the basis of the statements so recorded, learned

Magistrate has submitted report dated 20.05.2017 to the effect that the compromise is the outcome of free will and consent of both the parties.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Hoshiari Devi but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 17.05.2017 to the effect that she has no objection if the present FIR is quashed.

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.135 dated 20.07.2016 under Sections 406, 420 IPC, registered at Police Station Sector 14, Panchkula (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 30.01.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

26.07.2017
sanjeev

Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No