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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 16868 of 2016
Date of Decision: 26.10.2017

Shyambir and another

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Gautam Kaile, Advocate, for
Mr. Rajiv Sharma, Advocate,
for the petitioners.

Mr. Tanuj Sharma, A.A.G., Haryana.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No. 484, dated 09.10.2013, under Sections 323, 452, 506 and 34 of the Indian Penal Code, registered at Police Station Manser, District Gurgaon, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectable and elderly people of the society, the complainant has arrived at a settlement with the accused vide Settlement/Compromise (Annexure P-2), which is duly signed by her. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived

at between the parties. The Judicial Magistrate Ist Class, Gurugram, vide report dated 16.10.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondents No. 2 and 3 are not present nor they are represented by their counsel. However, each of them has made a statement on 26.09.2017, before the Judicial Magistrate Ist Class, Gurugram, whereby they have admitted the factum of compromise with the accused persons voluntarily and without any pressure or coercion or undue influence.

[4]. In view of the report of the Judicial Magistrate Ist Class, Gurugram, and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has herself compromised the dispute with the petitioners/ accused persons.

[5]. In the circumstances, the present petition is allowed. F.I.R. No. 484, dated 09.10.2013, under Sections 323, 452, 506 and 34 of the Indian Penal Code, registered at Police Station Manser, District Gurgaon, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

26.10.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No