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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16999-2017 (O&M)
Date of decision-31.07.2017

Karam Bir and another

...Petitioners

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sumit Sangwan, Advocate for the petitioners.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. Ajay Vijrania, Advocate for respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 482 of the Code of Criminal Procedure is for quashing of FIR No.330 dated 06.04.2017 registered under Sections 147, 323, 452 and 506 read with Section 149 of Indian Penal Code (in short 'IPC') at Police Station Civil Lines, District Gurgaon (now Gurugram) (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 09.05.2017 (Annexure P-2).

This Court vide order dated 15.05.2017 had directed the parties to appear before the Area 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 Additional Chief Judicial Magistrate, Gurugram and got their statements recorded. On the basis of the statements so recorded, learned Additional Chief Judicial Magistrate has submitted report dated 05.06.2017 to the effect that the compromise effected between the parties is genuine, voluntary, without any threat or coercion.

Respondent No.2-complainant, namely, Mahesh Kumar has made his statement with regard to compromise before learned Magistrate on 30.05.2017 to effect that he has compromised the matter with the intervention of the respectables and has no objection if the above said FIR is quashed.

Learned State counsel as well learned counsel appearing on behalf of respondent No.2 have 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 FIR.

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 FIR No.330 dated 06.04.2017 registered under Sections 147, 323, 452 and 506 read

with Section 149 of IPC at Police Station Civil Lines, Gurgaon, District Gurgaon (now Gurugram) (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 09.05.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

July 31, 2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No