

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

251

CRM-M-20602 of 2017

Date of Decision:15.11.2017

Hans Raj and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

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

Present: Mr. Johan Kumar, Advocate,
for the petitioners.

Mr. A.S. Chaudhary, Addl. AG, Haryana,
for respondent No.1.

Mr. Vipin Sharma, Advocate,
for Mr. S.M. Sharma, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.891 dated 14.12.2015 under Sections 420, 467, 468, 471, 120-B IPC, registered at Police Station City Ballabgarh, District Faridabad (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 02.06.2017 had directed the parties to appear before the trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before

learned Judicial Magistrate 1st Class, Faridabad and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 26.07.2017 to the effect that the parties have compromised the matter without any fear, coercion or inducement and the compromise has been arrived at between them voluntarily.

Respondent No.2-Complainant, namely, Mahesh, has made a statement with regard to compromise before learned Magistrate on 13.06.2017 to the effect that he has compromised the matter with the accused with their mutual consent and without any pressure or coercion or undue influence and has no objection if the F.I.R. is quashed.

Learned State counsel as well as learned counsel for 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 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 FIR No.891 dated 14.12.2015 under Sections 420, 467, 468, 471, 120-B IPC, registered at Police Station City Ballabgarh, District Faridabad (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise (Annexure P-2).

November 15, 2017
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No