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CRM-M-20896-2017

DATE OF DECISION: 01.11.2017

VIJENDER SINGH & ANR

... Petitioner(s)

Versus

STATE OF HARYANA & ANR

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. M.S. Khillan, Advocate
for the petitioner(s).

Mr. Vikramjit Singh, Addl.A.G., Haryana

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of FIR No.30 dated 14.01.2017, under Section 379-B of IPC, registered at Police Station Assandh, District Karnal (Annexure P-1), on the basis of compromise (Annexure P-3) arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is an outcome of a minor scuffle between the parties and the petitioners were arrayed as accused on mistaken identity. He further states that matter has been compromised with the intervention of respectables.

In support of his contentions, he has relied upon the judgments passed by co-ordinate Benches of this Court in CRM No.M-32684 of 2015 decided on 17.11.2015 titled as "Amandeep Kumar and others v. State of Punjab and another" and CRM No.M-5986 of 2017 decided on 02.08.2017 titled as, "Kuldeep Kumar and others v. State of Punjab and others" and judgment of

Supreme Court in the case of "Shiji @ Pappu and others v. Radhika and another" AIR 2012 SC 499.

This Court by the order dated 10.08.2017 had directed the parties to appear before the trial Court to record the statements of the parties with regard to genuineness of the compromise and send a report to this Court. The report of Additional Sessions Judge, Karnal, dated 25.08.2017 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded which indicates that the compromise is genuine, without any coercion or undue influence.

The FIR is an outcome of a minor scuffle between the parties and the petitioners were arrayed as accused on mistaken identity. The matter has been compromised with the intervention of respectables.

In view of the mandate of the Hon'ble Supreme Court in the case of **Narinder Singh and others Vs. State of Punjab and another, (2014) 6 SCC 466**, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.30 dated 14.01.2017, under Section 379-B of IPC, registered at Police Station Assandh, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom, are hereby quashed qua the petitioner(s).

01.11.2017

SwarnjitS

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No