

255.

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

CRM-M-24031-2017

Date of decision:04.09.2017

GAURAV

... Petitioner

versus

STATE OF HARYANA AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Chirag Wadhwa, Advocate,
for the petitioner.

Mr. Abhinash Jain, AAG, Haryana,
for respondent No.1.

Mr. Suneet Pal Singh Aulakh, 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 F.I.R. No.918 dated 27.10.2016 under Sections 440, 452 IPC, registered at Police Station Civil Lines, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 01.07.2017 (Annexure P-2).

Reply by way of affidavit of Raj Kumar, HPS, Deputy Superintendent of Police, (HQ), Karnal, filed in court today on behalf of respondent No.1, is taken on record.

This Court vide order dated 11.07.2017 had directed the

parties to appear before the Illaqa Magistrate/trial Court 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, Karnal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.08.2017 to the effect that the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

Respondent No.2-complainant, namely, Rajpal Singh has made his statement with regard to compromise before learned Magistrate on 02.08.2017 to the effect that he has no objection if the FIR in question 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 F.I.R. No.918 dated 27.10.2016 under Sections 440, 452 IPC, registered at Police Station Civil Lines, District Karnal (Annexure P-1) and all subsequent

proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 01.07.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

04.09.2017
sanjeev

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