

251.

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

CRM-M-25137-2017

Date of decision:12.12.2017.

KRISHAN AND ANR

... Petitioners

Versus

STATE OF HARYANA AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

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

Mr. Ashok Singh Choudhary, Additional Advocate General,
Haryana, for respondent No.1.

Mr. Surinder Dagar, 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.523 dated 12.08.2016 under Sections 379-A, 341, 323, 427, 506, 201, 34 IPC, registered at Police Station Sadar Palwal, District Palwal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 03.05.2017 (Annexure P-2).

This Court vide order dated 17.07.2017 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 District & Sessions Judge, Palwal and got their statements recorded.

On the basis of the statements so recorded, learned Sessions Judge has submitted report dated 17.08.2017 to the effect that the compromise has

been effected between the parties voluntarily and without any threat or pressure.

Respondent No.2-complainant, namely, Balesh has made her statement with regard to compromise before learned Sessions Judge on 11.08.2017. The same is reproduced as under:-

“Stated that due to intervention of Biradari Panchayat a compromise has been effected between us and the accused persons present in the court namely Krishan son of Virender and Bhagat Singh son of Prakash. Now, I have no resentment against the accused persons and do not want to take any action against them. I am making this statement voluntarily and there is no threat or pressure of any kind upon me.”

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.523 dated 12.08.2016 under Sections 379-A, 341, 323, 427, 506, 201, 34 IPC, registered at Police Station Sadar Palwal, District Palwal (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 03.05.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

12.12.2017
sanjeev

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