

263

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

**CRM-M-26215-2016
Date of Decision :04.09.2017**

Subhash and Anr.

.....Petitioners

Versus

State of Haryana and Anr.

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Jai Vir Yadav, Advocate
for the petitioners.

Mr. Sulinder Kumar, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 482 Cr.P.C. has been made for quashing FIR No. 247 dated 18.09.2010 under Sections 323, 354, 452, 506, 34 IPC and Section 3/81 of the Motor Vehicle Act, registered at Police Station Suraj Kund, Faridabad and the judgment of conviction dated 16.09.2015 and order of sentence dated 18.09.2015 passed by learned Judicial Magistrate 1st Class, Faridabad, on the basis of compromise (Annexure P-2).

It is stated that the petitioners were convicted under Sections 323, 354, 452 and 506 IPC and awarded sentence for a maximum period of three years vide judgment of conviction dated 16.09.2015 and order of sentence dated 18.09.2015.

Being aggrieved the petitioners preferred an appeal. During the pendency of appeal they entered into a compromise with the complainant.

Vide order dated 29.11.2016 the parties were directed to appear before the Lower Appellate Court for getting their statements recorded with

regard to the compromise. A report from the Lower Appellate Court bearing No.588 dated 28.12.2016 has been received whereby the complainant without any pressure or influence compromised the matter with the petitioner with her sweet will.

Learned counsel for the petitioner has placed reliance upon **Bharti vs. State of Haryana and Anr. 2014(2) CCR 48** and decision dated 23.07.2015 passed by a Coordinate Bench in **CRM-M-3244-2015 titled as Sundar and Anr. vs. State of Haryana.**

Considering the dictum laid down in the aforesaid decisions, and also the fact that the parties have entered into the compromise amicably, without any pressure or influence from any side, during the pendency of the appeal, no useful purpose will be served to continue with the criminal proceedings in the appeal, the impugned judgment of conviction dated 16.09.2015 and order of sentence dated 18.09.2015 as well as FIR No. 247 dated 18.09.2010 under Sections 323, 354, 452, 506, 34 IPC and Section 3/81 of Motor Vehicle Act, registered at Police Station Suraj Kund, Faridabad are hereby quashed.

Petition is disposed of accordingly.

(RAMENDRA JAIN)
JUDGE

September 04, 2017

Sunil Devi

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