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

CRM-M-28821-2017

Date of decision:10.10.2017.

KASHMIR SINGH AND ANR.

... Petitioners

Versus

STATE OF HARYANA AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Shiva Khurmi, Advocate, for
Mr. Sarfraj Hussain, Advocate,
for the petitioners.

Mr. Arjun Singh Yadav, AAG, Haryana,
for respondent No.1.

Respondent No.2-Krishan Pal in person.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.115 dated 04.07.2016 under Sections 120-B, 406, 420, 467, 468, 471 IPC, registered at Police Station Rajaund, District Kaithal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 25.10.2016 (Annexure P-2).

This Court vide order dated 08.08.2017 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 Judicial Magistrate Ist Class, Kaithal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 27.09.2017 to the effect that the parties have compromised the matter voluntarily, without any pressure and coercion or undue influence.

The statement of respondent No.2-complainant, namely, Krishan Pal has been recorded wherein he has accepted the very compromise entered between the parties. As per compromise Annexure P-2 dated 25.10.2016, the complainant has no objection if the FIR in question is quashed as there is no grievance left between the parties. The complainant is present in Court and he has been recognized by learned counsel appearing on behalf of the petitioners.

Learned State counsel has 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.115 dated 04.07.2016 under Sections 120-B, 406, 420, 467, 468, 471 IPC, registered at Police Station Rajaund, District Kaithal (Annexure P-1)

and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 25.10.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

10.10.2017

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Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No