

239.

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

CRM-M-2910-2017

Date of decision:28.08.2017.

SANDEEP

... Petitioner

Versus

STATE OF HARYANA & ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Deepender Ahlawat, Advocate,
for the petitioner.

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

Mr. Pawan Singh, Advocate, for
Mr. Ajit Sihag, 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.429 dated 19.10.2015 under Sections 323/324 IPC, registered at Police Station Beri, District Jhajjar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 21.01.2017 (Annexure P-2).

This Court vide order dated 31.01.2017 had directed the parties to appear before the trial Court/Illaq Magistrate 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, Jhajjar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 18.02.2017 to the effect that the compromise has been effected between the parties out of their free consent, voluntarily, sound disposing mind and without any fear, favour, pressure or coercion in any manner.

Respondent No.2-complainant, namely, Shiv Kumar and the accused-Sandeep (petitioner) have made a joint statement with regard to compromise before learned Magistrate on 09.02.2017. The same is reproduced as under:-

“Out of free consent, voluntarily, sound disposing mind and without any fear, favour, pressure or coercion in any manner, we have amicably settled/compromised the dispute qua instant criminal matter.

Accordingly, the complainant have no objection or prejudice if the aforementioned criminal case arising in consequence to FIR No.429 dated 19.10.2015 under Section 323/324 IPC 1860 Police Station Beri, Jhajjar, Haryana along with all other consequential proceedings are quashed in consonance with the mandate of Section 482 Cr.P.C. 1973.”

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.429 dated 19.10.2015 under Sections 323/324 IPC, registered at Police Station Beri, District Jhajjar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 21.01.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

28.08.2017

sanjeev

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No