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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 29162 of 2017

Date of Decision: 03.10.2017

Rahul and others

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Abhinav Sood, Advocate,
for the petitioners.

Mr. Vikas Malik, D.A.G., Haryana,
for respondent No. 1.

Mr. Rohan Sharma, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No. 230, dated 24.06.2017, under Sections 379-A (1)/34/341 of the Indian Penal Code, registered at Police Station Chand Hut, District Palwal, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Judicial Magistrate Ist Class, Palwal, on the basis of compromise.

[2]. During pendency of investigation, the complainant has arrived at a settlement with the accused as per Affidavit (Annexure P-2), which is duly signed by him. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial

Magistrate Ist Class, Palwal, vide Report dated 05.09.2017, has apprised this Court that the compromise arrived at between the complainant/respondent No. 2 and petitioner No. 1 is genuine and without any pressure, whereas other accused/petitioners did not appear for recording of their statements.

[3]. Respondent No. 2 is represented by his counsel.

[4]. In view of the report of the Judicial Magistrate Ist Class, Palwal, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

[5]. In the circumstances, the present petition is allowed. F.I.R. No. 230, dated 24.06.2017, under Sections 379-A (1)/34/341 of the Indian Penal Code, registered at Police Station Chand Hut, District Palwal, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua petitioner No. 1 alone.

[6]. The petition qua the remaining petitioners is dismissed as withdrawn, on submission of Ld. Counsel for the petitioners, with liberty to file the same at an appropriate stage later on.

03.10.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

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|---------------------------------|---------|
| 1. Whether speaking/ reasoned : | Yes/ No |
| 2. Whether reportable : | Yes/ No |