

**THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-M-29267 of 2017

Date of decision: 08.12.2017.

Krishan & another

...Petitioners

Versus

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ramesh Hooda, Advocate for
Mr. R.S. Hooda, Advocate for the petitioners.

Mr. Vikramjeet Singh, Addl. A.G., Haryana.

GURVINDER SINGH GILL, J.

The petitioners seek quashing of FIR No.475 dated 16.06.2017, under Sections 34, 364 and 365 IPC, registered at Police Station Jhajjar, District Jhajjar as well as subsequent proceedings arising therefrom, on the basis of compromise dated 24.07.2017 (Annexure P-2), arrived at between the parties.

The allegations in nutshell are that on 16.06.2017, when the complainant-Satpal went to meet his parents in the house, constructed in the fields and was talking to them, then in the meantime Neeraj @ Katia along with 10-15 other persons came there and they along with Krishan, his nephew who was already there started giving beatings to him and after giving beatings took him away in a car and threw him in a village Chowk.

The present petition has been filed on the basis of compromise amongst the parties. Vide order dated 11.08.2017, passed by a coordinate bench of this Court, the parties were directed to appear before the Illaqa Magistrate/trial Court on 21.08.2017 and to get their statements recorded as

regards the genuineness of the compromise.

The report of the Judicial Magistrate 1st Class, Jhajjar, along with statements of the parties, has been received.

As per the report, it has been opined that the parties have entered into compromise without any undue influence and coercion and has been effected in the presence of the respectables of the village. Apart from the statements of the complainant and of the co-accused namely, Krishan and Neeraj, who are related to the complainant, the statement of Investigating Officer, ASI Pawanvir, has also been recorded who has stated that apart from the accused Krishan and Neeraj there is no other co-accused.

In view of the aforesaid statements and the report of the Illaqa Magistrate, I am satisfied that a compromise has been effected amongst the parties out of their free will. In these circumstances, in my opinion, it is a fit case for quashing of FIR especially since the complainant and accused are related to each other. Accordingly, the petition is allowed and FIR No.475 dated 16.06.2017, under Sections 34, 364 and 365 IPC, registered at Police Station Jhajjar, District Jhajjar and consequential proceedings arising out of the same are hereby quashed.

(GURVINDER SINGH GILL)
JUDGE

08.12.2017
ANJAL

Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No