

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

249

CRM-M-30677 of 2017

Date of Decision:28.11.2017

Parveen Kumar

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Vishal Malik, Advocate,
for the petitioner.

Mr. A.S. Chaudhary, Addl. A.G., Haryana,
for respondent No.1.

Mr. Pradeep Panwar, 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 FIR No.48 dated 22.01.2012 under Sections 406, 420, 467, 468, 471, 506, 120-B IPC, registered at Police Station Civil Lines, Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 29.07.2017 (Annexure P-2).

This Court vide order dated 23.08.2017 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 1st Class, Karnal 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. The compromise is genuine and authentic.

Respondent Nos.2, complainant, namely, Radha Krishan Bajaj, has made a statement with regard to compromise before learned Magistrate on 22.09.2017 to the effect that he has compromised the matter, without any kind of pressure and out of their free will. Now they do not want to proceed further with the present FIR and he has no objection, if the present FIR registered against the accused is quashed.

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 FIR.

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 FIR No.48 dated 22.01.2012 under Sections 406, 420, 467, 468, 471, 506, 120-B IPC, registered at Police Station Civil Lines, Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise dated 29.07.2017 (Annexure P-2).

November 28, 2017
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No