

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

CRM-M No.9437 of 2016
Date of decision: 2nd June, 2017

Shalini and others

... Petitioners

Versus

State of Haryana & another

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Deepinder Brar, Advocate for the petitioners.

Mr. Munish Sharma, Asstt. Advocate General, Haryana
for respondent No.1/State.

Mr. Anurag Arora, Advocate for respondent No.2.

FATEH DEEP SINGH, J.

Report dated 08.04.2016 of learned Additional District & Sessions Judge, Gurgaon has been received whereby after recording statements of complainant Sita Ram Ola and the accused persons namely Shalini, Harish Krishnia, Swaranlata, Subhash Krishnia, Sushant and Shantanu Goswami, the Court has shown its satisfaction that the compromise Ex.C1 has been arrived at voluntarily, out of free will of the parties, without any undue influence, coercion or pressure.

Heard.

In the light of the satisfaction shown by the Court, the fact that both sides are related to each other and the offences for which the accused have been hauled up are not of serious nature and that applicability of Section 307 IPC being highly doubtful in view of the

total lack of ocular as well as medical evidence of alleged adding of noxious substance to the food articles even prima facie bear out non-applicability of Section 307 IPC and thus, in view of peculiar facts and circumstances of the case, together with the fact that compromise will go a long way in ironing out differences for betterment of future life of the parties and there be no chance of prosecution of accused as no fruitful results are likely to come out of it and rather to the mind of this Court would be pure wastage of precious time of the Court, and in view of the law laid down in '**Gian Singh v. State of Punjab and another**' 2012(4) RCR (Criminal) 543 and '**Kulwinder Singh and others v. State of Punjab and another**' 2007 (3) RCR (Criminal) 1052, the prayer made in the petition is allowed, proceedings by way of FIR No.199 dated 06.09.2012 registered at Police Station Khaidki Daula, District Gurgaon under Sections 323/328/307/120-B/506/34 IPC and all consequences arising out of the said FIR qua the petitioners are quashed.

The petition stands allowed in those terms.

(FATEH DEEP SINGH)
JUDGE

June 2, 2017

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No