

247.

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

CRM-M-6130-2017

Date of decision:29.08.2017

RAJ SINGH

... Petitioner

versus

STATE OF HARYANA AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sunil Dhanda, Advocate, for Mr. Rajesh Lamba,
Advocate, for the petitioner.

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

None 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.375 dated 24.09.2016 under Sections 406, 420, 506 IPC, registered at Police Station Pataudi, District Gurgaon (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 20.02.2017 (Annexure P-2).

This Court vide order dated 23.02.2017 had directed the parties to appear before the Illaqa 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 Additional Civil Judge (Junior Division)-cum-SDJM, Pataudi and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated

17.03.2017 to the effect that the compromise has been effected between the parties in true sense.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Sanjay Kumar (Yadav) son of Sahi Ram, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 15.03.2017 to the effect that he has no objection if the FIR in question is quashed.

Learned State counsel has 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.375 dated 24.09.2016 under Sections 406, 420, 506 IPC, registered at Police Station Pataudi, District Gurgaon (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 20.02.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

29.08.2017