

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

CRM-M-10987-2018

Date of Decision:25.07.2018

Manjit Singh @ Manjeet Singh and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

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

Present: Mr. M.D.S. Gill, Advocate,
for the petitioners.

Mr. Anmol Malik, A.A.G., Haryana.

Mr. C.B. Goel, 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.1009 dated 24.12.2015 under Sections 120-B, 420 IPC, registered at Police Station Thanesar, District Kurukshetra (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 05.02.2018 (Annexure P-2).

This Court vide order dated 17.05.2018 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 Chief Judicial Magistrate, Kurukshetra and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 29.05.2018 to the effect that the parties have compromised the matter. The compromise is genuine.

Respondent No.2-Complainant, namely, Jasbir Kaur, has made a statement with regard to compromise before learned Magistrate on 29.05.2018. The same is reproduced as under:-

“Stated that we have voluntarily and amicably settled our dispute without any coercion, pressure and undue influence. There is no objection if FIR No.1009 dated 24.12.2015 under Sections 120-B & 420 IPC, P.S. City Thanesar is quashed by the Hon'ble High Court. It is further stated that there are seven accused involved in this case whose names are mentioned above except for accused Narinder Kumar son of Kasturi Lal resident of Professor Colony Ambala Road Pehowa, District Kurukshetra, who had died on 05.04.2018 and attested copy of his death certificate is produced as Mark-A. It is also stated that no accused is proclaimed offender in this case and the compromise is genuine. Compromise deed Annexure P-2 is already placed on record of the Hon'ble High Court as genuinely executed by us. We also produce copies of our Aadhar Cards as proof of identity in Court as Mark B to Mark H.”

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 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)***

under Sections 120-B, 420 IPC, registered at Police Station Thanesar, District Kurukshetra (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua petitioner Nos.1 to 5 and 7 only on the basis of compromise dated 05.02.2018 (Annexure P-2).

So far as petitioner No.6 is concerned, since he has expired on 05.04.2018, proceedings qua him already stand abated vide order dated 24.07.2018 passed by this Court.

July 25, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No