

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

260

CRM-M-14420-2018

Date of Decision:03.08.2018

Ramesh Kumar and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

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

Present: Mr. Shakti Kaushik, Advocate,
for the petitioners.

Mr. Ramesh Kumar Ambavta, A.A.G., Haryana.

Ms. Mehak Sawhney, Advocate for
Mr. Rohit Aggarwal, 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.0232 dated 07.11.2017 under Sections 419, 420, 467, 468, 120-B IPC, registered at Police Station Bilaspur, District Yamuna Nagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 28.03.2018 (Annexure P-2).

This Court vide order dated 06.04.2018 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 Judicial Magistrate 1st Class, Bilaspur and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 10.05.2018 to the effect that the parties have compromised the matter. The compromise is genuine and has been arrived at between them voluntarily and without any pressure.

Respondent No.2-Complainant, namely, Harshdev Sharma, has made a statement with regard to compromise before learned Magistrate on 30.04.2018 to the effect that he has compromised the matter with the accused and he has no objection in case the F.I.R. in question 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 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 FIR No.0232 dated 07.11.2017 under Sections 419, 420, 467, 468, 120-B IPC, registered at Police Station Bilaspur, District Yamuna Nagar (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 28.03.2018 (Annexure P-2).

August 03, 2018
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No