

256.

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

CRM-M-15417-2018

Date of decision:12.07.2018.

AJIT SINGH @ ASHISH

... Petitioner

Versus

STATE OF HARYANA AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. R.A. Sheoran, Advocate,
for the petitioner.

Mr. Ashok S. Chaudhary, Additional Advocate General,
Haryana, for respondent No.1.

Mr. Mohit, 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 F.I.R. No.90 dated 15.03.2014 under Sections 294/506 IPC, registered at Police Station Tosham, District Bhiwani (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 05.04.2018 (Annexure P-2).

This Court vide order dated 18.04.2018 had directed the parties to appear before the trial Court/Illaq 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 Sub Divisional Judicial Magistrate, Tosham and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.05.2018 to the effect that the parties have compromised their disputes out of their free will, consent and without any pressure and undue influence.

Respondent No.2-complainant, namely, Renu Kumari has made her statement with regard to compromise before learned Magistrate on 30.04.2018 to the effect that she has compromised the matter with the accused without any pressure, coercion and undue influence and she does not want any action against the accused in the FIR.

Learned State counsel as well as learned counsel appearing on behalf of 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 F.I.R. No.90 dated 15.03.2014 under Sections 294/506 IPC, registered at Police Station Tosham, District Bhiwani (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 05.04.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

12.07.2018

sanjeev

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No