

253.

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

CRM-M-1572-2018

Date of decision:06.07.2018

ANIL KUMAR @ SONU AND ANR

... Petitioners

versus

STATE OF HARYANA AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Hardeep Singh Dhillon, Advocate,
for the petitioners.

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

Mr. Pardeep Solath, 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.527 dated 13.10.2017 under Sections 365/419 IPC (Sections 201/120-B IPC added later on), registered at Police Station Pehowa, District Kurukshetra (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 13.12.2017 (Annexure P-3).

Vakalatnama filed on behalf of respondent No.2 in Court today, is taken on record.

This Court vide order dated 02.02.2018 had directed the parties to appear before the learned Area 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 Judicial Magistrate Ist Class, Pehowa and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 21.04.2018 to the effect that the compromise has been effected between the parties voluntarily, without any pressure or coercion and the same is genuine.

Respondent No.2-complainant, namely, Ram Chander has made his statement with regard to compromise before learned Magistrate on 12.03.2018. The same is reproduced as under:-

“Stated that the matter has been compromised between the parties and the dispute has been settled. The petitioner Anil Kumar @ Sonu is my real son and Manni @ Mani Kumar is my nephew. I do not want to pursue the present case against Anil Kumar @ Sonu and Manni @ Mani Kumar. I am giving the statement with my free consent and without any influence or pressure. I have no objection regarding the quashing of the FIR.”

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 F.I.R. No.527 dated 13.10.2017 under

Sections 365/419 IPC (Sections 201/120-B IPC added later on), registered at

Police Station Pehowa, District Kurukshetra (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/affidavit dated 13.12.2017 (Annexure P-3).

(HARI PAL VERMA)
JUDGE

06.07.2018
sanjeev

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