

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

SMRITI
22.11.2018 P13
I attest to the accuracy and
integrity of this document

**CRM-M-16658-2018
Date of Decision: 19.11.2018**

Deepak Kumar and Ors

...Petitioners

vs.

State of Haryana and Anr

..Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Naveen Sheoran, DAG, Haryana.

Mr. Deepak Sharma, Advocate
for respondent No.2.

ARVIND SINGH SANGWAN,J

Prayer in this petition is for quashing of FIR No. 162 dated 11.07.2017 under Sections 120-B, 406, 420, 419, 467, 468, 471 and 201 IPC, registered at Police Station Mullana, District Ambala, on the basis of compromise dated 05.04.2018 (Annexure P2).

Vide order dated 07.08.2018, the parties were directed to appear before the trial Court/Illaq Magistrate for recording their respective statements. Respondent No.2/complainant-Sham Murari has made a statement that he has compromised the matter with seven accused persons i.e. the present petitioners, as per compromise Ex.PX and he does not want to pursue the case against them. Similar statement has been made by the petitioners that the compromise has been effected voluntarily. Respondent No.2/complainant further stated in the statement that he has not effected compromise with accused-Nitin and Adhiraj K.C.

The trial Court has also recorded the statement of ASI Khushlpal, who stated that only the complainant is the victim as per the

investigation and no accused person is a proclaimed offender. He has also placed on record status report Ex.PY.

The trial Court has submitted a report dated 29.08.2018 and as per the compromise deed Ex. PX, the parties have entered into a compromise without any pressure or coercion and only respondent No.2- Sham Murari is the complainant in the present FIR.

As per the Full Bench judgment of this Court in ***Kulwinder Singh and others Vs. State of Punjab, 2007 (3) RCR (Criminal) 1052 and also in view of the judgment of Hon'ble the Apex Court rendered in Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543***, the present petition is allowed. FIR No. 162 dated 11.07.2017 under Sections 120-B, 406, 420, 419, 467, 468, 471 and 201 IPC, registered at Police Station Mulana, District Ambala, on the basis of compromise dated 05.04.2018 (Annexure P2) and all the subsequent proceedings arising therefrom are ordered to be quashed qua petitioners, namely, Deepak Kumar, Gurmitha Singh, Gautam, Amit Kumar Sharma, Rahul Sharma, Amit Sharma and Neeraj.

19.11.2018
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No