

281.

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

CRM-M-17308-2018

Date of decision:30.07.2018

GULSHAN

... Petitioner

Versus

STATE OF HARYANA AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sunny Bhardwaj, Advocate,
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
for respondent No.1.

None 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.189 dated 16.09.2017 registered under Sections 120-B, 406, 420, 467, 468, 471 IPC at Police Station Bass, District Hansi (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 10.04.2018 (Annexure P-2).

This Court vide order dated 26.04.2018 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 Judicial Magistrate Ist Class, Hansi and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 09.05.2018 to the effect that the compromise has been effected between the parties voluntarily, without any pressure or coercion.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Ranbir, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 07.05.2018 to the effect that he has compromised the matter with the petitioner with his own free will and without any pressure and he has no objection in case the FIR is quashed.

Learned State counsel has 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.189 dated 16.09.2017 registered under Sections 120-B, 406, 420, 467, 468, 471 IPC at Police Station Bass, District Hansi (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 10.04.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

30.07.2018

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Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No