

288.

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

CRM-M-19282-2018

Date of decision:20.11.2018.

SHIV KUMAR AND ORS

... Petitioners

Versus

STATE OF HARYANA AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Diwan S. Adlakha, Advocate,
for the petitioners.

Mr. Ripu Daman, 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.119 dated 15.04.2018 registered under Sections 380, 435, 436, 34 of IPC at Police Station Naraingarh, District Ambala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 19.04.2018 (Annexure P-2).

This Court vide order dated 07.05.2018 had directed the parties to appear before the Illaqa 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, Naraingarh and got their statements recorded. On the basis of the statements so recorded, learned

compromise effected between the parties appears to be genuine and without any pressure or coercion.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Permesh Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 23.05.2018 to the effect that he has compromised the matter with the accused and he has no objection in case the FIR in question 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.119 dated 15.04.2018 registered under Sections 380, 435, 436, 34 of IPC at Police Station Naraingarh, District Ambala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 19.04.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

20.11.2018
sanjeev

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