

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

**AT CHANDIGARH**

**Criminal Misc. No.M-19085 of 2017**

**Date of Decision: 31.08.2018**

Vijay Kumar Goel

...Petitioner(s)

Versus

State of Haryana & another

...Respondent(s)

**CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA**

Present:- Mr. J.S. Khattar, Advocate  
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

Mr. Naveen Mandhan, Advocate for  
Mr. Pankaj Bali, Advocate for respondent no.2.

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**HARI PAL VERMA, J. (Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.434 dated 15.11.2012 under Sections 323, 452, 506 IPC registered at P.S. Sector 5, District Panchkula and charge-sheet dated 29.08.2013 and all consequential proceedings arising therefrom, on the basis of compromise dated 12/19.05.2017 (Annexure P-3).

This Court vide order 25.05.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to compromise so arrived and the Illaqa Magistrate/trial Court was directed to submit its report regarding the genuineness of the compromise so effected on the basis of statements so recorded.

Pursuant to the aforesaid order, the parties have appeared before Chief Judicial Magistrate, Panchkula and got their statements recorded. Learned Magistrate has forwarded his report dated 08.08.2018 to the effect that the parties have validly entered into a compromise and the statements are not the result of any coercion and pressure.

Though no one has put in appearance on behalf of respondent no.2 - complainant, but no prejudice would be caused to him in case the present petition is allowed, as he has already made his statements before the learned Magistrate on 03.08.2018 regarding the compromise between the parties to the effect that a compromise has been effected with accused Vijay Kumar Goel in this case. The said compromise has been effected amicably, out of my free will without any fear, pressure or coercion and he has no grudge against the accused.

Learned State counsel as well as counsel for respondent no.2 have not disputed the factum of compromise effected between the parties.

There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007 (3) RCR (Criminal) 1252 (P&H), as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others**, (2012)12 SCC 303, this petition is allowed and FIR No.434 dated 15.11.2012 under Sections 323, 452, 506 IPC registered at P.S. Sector 5, District Panchkula and charge-sheet dated 29.08.2013 and all consequential

proceedings arising therefrom, are quashed, *qua* the petitioner, on the basis of compromise dated 12/19.05.2017 (Annexure P-3).

August 31, 2018  
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( HARI PAL VERMA )  
JUDGE

Whether speaking / reasoned?  
Whether reportable?

Yes / No  
Yes / No