

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

CRM-M-19946-2017 (O&M)

Date of decision: January 18, 2018

Balkar Singh and others

.... Petitioners

Versus

The State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. H.P.S. Aulakh, Advocate
for the petitioners.

Mr. Brijesh Sharma, AAG, Haryana
for respondent No.1-State.

Mr. Manpreet Singh, Advocate
for respondent No.3.

RAJ SHEKHAR ATTRI, J.(ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.145 dated 16.05.2017, under Sections 323, 325, 34, 506 of Indian Penal Code (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 24.05.2017 (Annexure P-2).

This Court vide order dated 31.05.2017 had directed the parties to appear before the Illaqa Magistrate to get their statements recorded and the learned Court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before the Judicial Magistrate Ist Class, Karnal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 08.06.2017 in a sealed cover, which has been

opened. The report is to the effect that the compromise effected between the parties is with their free volition and the same is not the result of any undue influence or pressure.

Learned State counsel as well as learned counsel for respondent No.3 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. and it will amount to abuse of the process of law.

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.145 dated 16.05.2017, under Sections 323, 325, 34, 506 of Indian Penal Code (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 24.05.2017 (Annexure P-2).

January 18, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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