

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

CRM-M-23297-2018

Date of decision: 19.09.2018.

Baljinder Singh @ Topi Wala and another

... Petitioners

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Amit Choudhary, Advocate,
for the petitioners.

Mr. Ripu Daman, AAG Haryana

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0072 dated 24.05.2017 under Sections 148, 149, 323, 324, 326, 506 and 34 of IPC, registered at Police Station Panjokhra, District Ambala and all subsequent proceedings arising therefrom on the basis of compromise dated 19.05.2018 (Annexure P-1).

This Court vide order dated 10.07.2018 had directed the parties to appear before the Illaqa Magistrate/trial Court 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 Chief Judicial Magistrate, Ambala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 18.08.2018 to the effect that the compromise effected between the parties seems to be genuine, voluntary and without any

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Roshan Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 10.08.2018 to the effect that he has compromised the matter with the accused-petitioners of his free will and same is genuine voluntary, without any coercion and undue influence. 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.0072 dated 24.05.2017 under Sections 148, 149, 323, 324, 326, 506 and 34 of IPC, registered at Police Station Panjokhra, District Ambala and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 19.05.2018 (Annexure P-1).

(HARI PAL VERMA)
JUDGE

19.09.2018
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No