

256.

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

CRM-M-23748-2018

Date of decision:26.09.2018

ABBAS AND ANR

... Petitioners

versus

STATE OF HARYANA AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

Mr. Ripu Daman, AAG, Haryana, for respondent No.1.

Mr. Aditya Pratap Singh, Advocate, 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.0178 dated 25.04.2018 registered under Sections 379, 420 IPC at Police Station Dharuhera, District Rewari (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 26.05.2018 (Annexure P-2).

This Court vide order dated 30.05.2018 had directed the parties to appear before the trial Court/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 Additional Chief Judicial Magistrate, Rewari and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.07.2018 to the effect that the parties have compromised the matter without any pressure.

Respondent No.2-complainant, namely, Suresh Kumar has made his statement with regard to compromise before learned Magistrate on 03.07.2018 to the effect that he has compromised the matter with the accused in the aforesaid FIR without any pressure or coercion and he has no objection in case the present FIR is quashed.

Though there is a written request for an adjournment on behalf of counsel for the petitioners, however, learned counsel for respondent No.2 admits the factum of compromise between the parties.

Learned State counsel also does not dispute 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.0178 dated 25.04.2018 registered under Sections 379, 420 IPC at Police Station Dharuhera, District Rewari (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 26.05.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

26.09.2018
sanjeev

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