

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

258

CRM-M-2390 of 2018
Date of Decision: 30.4.2018

Nawab and Others

...Petitioners

Versus

State of Haryana and Others

...Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Pardeep Goyal, Advocate
for the petitioners.

Mr. Arun Kumar, AAG, Haryana.

Mr. Abhimanyu Kalsy, Advocate
for respondents No. 2 to 4.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No.102, dated 18.06.2017, registered under Sections 148, 149, 285, 307, 323, 354, 452, 506, 427 IPC and Section 25 Arms Act, Section 325 IPC added later on, Police Station Chhainsa, District Faridabad (Annexure P-1) and all the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. The trial Court has reported that the compromise is genuine, out of their free will and without any pressure or coercion. The trial Court has also sent the statements of the parties in original.

Learned State counsel, on 28.02.2018 had submitted that Sections 307, 354, 427, 148 and 149 IPC were not found to have been committed and Sections 325 and 34 IPC were added later on.

Today, Learned counsel for the State on instructions submits that petitioners are the only accused and respondents No. 2 and 4 are the only aggrieved person in this FIR.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, approved by Hon'ble Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed qua the petitioners.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

(ANITA CHAUDHRY)
JUDGE

April 30, 2018
Poonam (II)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No