

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

245

CRM-M-27264-2016

Date of Decision: 19.12.2018

Watan Nagpal and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

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

Present: None for the petitioners.

Mr. Anmol Malik, A.A.G., Haryana,
for respondent No.1.

None for respondent Nos.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.567 dated 02.08.2015 under Section 323, 452, 506 IPC, registered at Police Station Civil Lines, Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 03.08.2015 (Annexure P-2).

This Court vide order dated 08.08.2016 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, however, statement of respondent No.3 could not be recorded. Again vide order dated 27.09.2018, respondent No.3 was directed to get his statement recorded and the learned Magistrate was

directed to forward a supplementary report in this regard.

Pursuant to the aforesaid orders, parties have appeared before learned Civil Judge (JD)-cum-JMIC, Karnal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted reports dated 29.11.2016 and 17.11.2018 to the effect that the parties have compromised the matter with their own free will and without any pressure or coercion.

Respondent No.2-Complainant, namely, Komal Dhiman, has made a statement with regard to compromise before learned Magistrate on 17.11.2016 to the effect that she has compromised the matter with the accused with her mutual consent and without any pressure or coercion or undue influence and has no objection if the F.I.R. is quashed.

Apart from above, a similar statement has also been made by respondent No.3-Pardeep Kumar, whereby he has shown no objection to the present FIR being 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 FIR No.567 dated 02.08.2015 under Section 323, 452, 506 IPC, registered at Police Station Civil Lines,

Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 03.08.2015 (Annexure P-2).

December 19, 2018
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No