

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-30736-2016

Date of decision: 16.05.2018

Manoj Kumar and others

...PETITIONERS

VERSUS

State of Haryana and another

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

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

Mr. Sharad Yadav, Deputy Advocate General, Haryana,
for the State.

Mr. Parveen Kaushik, Advocate,
for respondent No. 2.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Reply has been filed on behalf of respondent No.1. The same is taken on record.

On 01.09.2016, when this case was taken up for hearing, the parties have appeared before the Court, who were directed to appear before the Illaqa Magistrate for recording of their statements with reference to the compromise, which is alleged to have been entered into between them leading to the filing of the present petition for quashing of FIR No. 325 dated 15.05.2016 (Annexure P-1) under Sections 147, 149, 323, 452, 506 IPC registered at Police Station Sector-55, District Faridabad and all consequential proceedings arising therefrom.

In compliance with the said order, the parties appeared before the Judicial Magistrate Ist Class, Faridabad on 15.09.2016 and got recorded their respective statements. On the basis of the statements of the parties, learned Judicial Magistrate Ist Class, Faridabad, has submitted a report dated 15.09.2016 wherein it has been concluded that the compromise, which has been arrived at between the parties, is without any threat, coercion or undue influence and that it is a voluntary act on the part of the parties.

Counsel for the petitioners, on the basis of the report, referred to above, as also the factum of compromise (Annexures P-2 and P-3), submits that the present petition may be allowed.

Counsel for the complainant-respondent No. 2 states that the complainant abides by the said compromise and has no objection if the FIR and all consequential proceedings arising therefrom are quashed as the complainant is not interested in pursuing the same any further.

In view of the above and keeping in view the fact that the matter has been amicably settled and the parties do not want to prolong the litigation, the interest of justice would be duly served by putting to an end the dispute between them.

Keeping in view the ratio of the judgment of the Supreme Court in **Narinder Singh vs. State of Punjab**, 2014 (2) RCR (Criminal) 482 and Full Bench judgment of this Court in **Kulwinder Singh and others vs. State of Punjab and another**, 2007 (3) RCR (Criminal) 1052 and Crl. Appeal No. 1723 of 2017 titled as **Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur vs. State of Gujarat and another**, decided on 04.10.2017, these petitions are allowed. FIR No. 325 dated 15.05.2016 (Annexure P-1) under Sections 147, 149, 323, 452, 506 IPC registered at

Police Station Sector-55, District Faridabad and all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

May 16, 2018
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No