

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

CRM-M-31517-2018 (O&M)

Date of Decision:-20.11.2018

Aman Gupta

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- None for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seeks quashing of FIR No.405 dated 19.5.2018 registered under Sections 294 and 506 of Indian Penal Code, 1860 at Police Station Karnal Civil Lines, District Karnal and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Notice of this petition had been issued in this case.

The state had filed its reply, wherein it has been specifically stated that during the course of inquiry statements of witnesses had been recorded and footage of CCTV cameras had also been collected and the allegations levelled by the complainant have been found to be false and a cancellation report has been prepared but the same is yet to be filed.

Vide order dated 27.7.2018, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.

Report of learned Chief Judicial Magistrate, Karnal has been received, wherein it has been reported that joint statement of parties has been recorded to the effect that they have compromised the matter amongst themselves and they have no objection in case the FIR is quashed. It has specifically been opined by learned Chief Judicial Magistrate, Karnal that the parties have entered into compromise voluntarily and without there being any pressure, coercion or undue influence.

In view of the reply filed by the State and also the statements of the parties and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition is allowed and FIR No.405 dated 19.5.2018 registered under Sections 294 and 506 of Indian Penal Code, 1860 at Police Station Karnal Civil Lines, District Karnal and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

20.11.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking Yes / No

Whether reportable Yes / No