

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

265

CRM-M-31973-2018

Date of Decision:27.08.2018

Iqbal Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

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

**Present: Mr. Lokesh Sharma, Advocate,
for the petitioners.**

Mr. Ramesh Kumar Ambavta, A.A.G., Haryana.

**Ms. Radhika, Advocate for,
Mr. Aditya Sanghi, Advocate,
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.108 dated 16.07.2018 under Sections 148, 149, 323, 324 IPC, registered at Police Station Baragudha, District Sirsa (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 23.07.2018 (Annexure P-2).

This Court vide order dated 30.07.2018 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Sirsa and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 20.08.2018 to the effect that the parties have entered into the compromise without any fear, force and coercion and the same is genuine.

Respondent No.2-Complainant, namely, Gurnaib Singh @ Gurneb Singh and respondent No.3-Satpal Singh have made a joint statement with regard to compromise before learned Magistrate on 20.08.2018 to the effect that they have compromised the matter with the accused with their mutual consent and without any pressure or coercion or undue influence and have no objection if the F.I.R. is quashed.

Learned State counsel as well as learned counsel for respondent Nos.2 and 3 have 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.108 dated 16.07.2018 under Sections 148, 149, 323, 324 IPC, registered at Police Station Baragudha, District Sirsa (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 23.07.2018 (Annexure P-2).

August 27, 2018
seema

(HARI PAL VERMA)
JUDGE

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