

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

CRM-M-32695-2018
Date of decision:09.10.2018

Karan Singh and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Mani Ram Verma, Advocate
for the petitioners.

Mr. Sandeep Vashisht, DAG, Haryana
for respondent No.1.

GURVINDER SINGH GILL, J. (ORAL)

Learned State counsel has filed reply by way of affidavit of
Mr. Pardeep Kumar, HPS, Deputy Superintendent of Police, Head
Quarters, Charkhi Dadri on behalf of respondent No.1, which is taken on
record.

The petitioners seek quashing of FIR No.120 dated 21.04.2013 under Sections 324, 506, 34 of Indian Penal Code, 1860, Police Station Bond Kalan and proceedings emanating therefrom and setting aside of judgment of conviction dated 14.11.2017 and order of sentence dated 17.11.2017 passed by learned Judicial Magistrate Ist Class, Charkhi-Dadri whereby the petitioners have been held guilty for committing offence punishable under Section 324 read with Section 34 of Indian Penal Code, 1860, on the basis of a compromise having been effected between the parties.

Vide order dated 02.08.2018 the parties had been directed to appear before the lower Appellate Court so as to get the statements recorded with regard to the genuineness of the compromise.

Report of learned Additional Sessions Judge, Charkhi Dadri has been received to the effect that the statements of the parties have been recorded to the effect that they have compromised the matter. The complainant-Amit and his father Ram Kumar have specifically stated that they have settled the dispute with the petitioners and they do not wish to proceed against them and had no objection, in case, the FIR is quashed. Learned Additional Sessions Judge, Bhiwani has specifically opined that the parties have entered into the compromise voluntarily and that the same is not outcome of any pressure or coercion.

In view of the aforesaid compromise 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.120 dated 21.04.2013 under Sections 324, 506, 34 of Indian Penal Code, 1860, Police Station Bond Kalan and proceedings emanating therefrom are hereby quashed qua the petitioners. Consequently the judgment of conviction dated 14.11.2017 and order of sentence dated 17.11.2017 passed by learned Judicial Magistrate Ist Class, Charkhi-Dadri against which the appeal is stated to be pending is hereby set-aside.

09.10.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No