

**CRM-M No.33386 of 2018
Date of Decision:30.10.2018**

Satbir Jangra and others**...Petitioners**

Versus

State of Haryana and another**...Respondents**

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

Mr. Ripu Daman, AAG, Haryana.

None for respondent No.2.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.88 dated 23.06.2017 registered under Sections 34, 120-B, 406 and 506 IPC (Sections 467, 468 & 471 IPC added later on) at Police Station Baraguda, District Sirsa (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 23.05.2018 (Annexure P-2).

This Court vide order dated 06.08.2018 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.

Pursuant to the aforesaid order, parties have appeared before the Civil Judge (Jr. Divn.)-cum- Judicial Magistrate Ist Class, Sirsa and got their statements recorded. On the basis of the statements so recorded,

learned Magistrate has submitted report dated 07.09.2018 to the effect that the compromise is genuine and has been effected between the parties without any fear, force and coercion .

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Rohtash, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 06.09.2018 to the effect that he has compromised the matter with the accused and he has no objection in case if the FIR is quashed.

Reply by way of affidavit of Nar Singh, HPS, Deputy Superintendent of Police Kalanwali, on behalf of respondent No.1- State of Haryana filed in the Court, is taken on record. Learned State counsel does not dispute the factum of compromise arrived at 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 case.

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.88 dated 23.06.2017 registered under Sections 34, 120-B, 406 and 506 IPC (Sections 467, 468 & 471 IPC added later on) at Police Station Baraguda, District Sirsa, (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 23.05.2018 (Annexure P-2), however, that would be subject to payment of cost of

₹10,000/- to be deposited with the Legal Services Authority, Sirsa.

(HARI PAL VERMA)
JUDGE

October 30, 2018

Jyoti-IV

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