

259.

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

CRM-M-34733-2018

Date of decision:12.11.2018.

VIKRAM SINGH & ORS

... Petitioners

Versus

STATE OF HARYANA & ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Anshul Mangla, Advocate,
for the petitioners.

Mr. Ripu Daman, AAG, Haryana,
for respondent No.1.

Mr. Davneet Sangwan, Advocate,
for respondents No.2 to 4.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.217 dated 24.03.2015 registered under Sections 419, 420, 467, 468, 120-B and 406 of IPC at Police Station City Yamunanagar, District Yamunanagar (Annexure P/1) and all subsequent proceedings arising therefrom on the basis of compromise dated 07.08.2018 (Annexure P/3).

This Court vide order dated 13.08.2018 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 learned Judicial Magistrate Ist Class, Yamuna Nagar at Jagadhri and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 15.10.2018 to the effect that the compromise arrived at between the parties is genuine, voluntarily, without any pressure, threat or coercion.

Respondent No.2-complainant, namely, Swami Sarwanand as well as respondent No.3-Babita have made a joint statement with regard to compromise before learned Magistrate on 10.09.2018. The same is reproduced as under:-

“Stated that we have arrived at compromise with the accused persons. The compromise has been effected with the efforts of Panchayat and relatives. We have entered into compromise without our free consent and without any pressure. Now, we have no grievance against the accused persons. We have “No-Objection”, if FIR no.217, dated 24.03.2015 registered u/s 419, 420, 467, 468, 120-B & 406 of IPC at police station, City Yamuna Nagar is quashed. We produce our original Aadhar Card and photograph.”

Apart from above, a similar statement has been made by respondent No.4-Maya Mohan whereby he has shown no objection in case the FIR is quashed.

Learned State counsel as well as learned counsel for respondent No.2 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 F.I.R. No.217 dated 24.03.2015 registered under Sections 419, 420, 467, 468, 120-B and 406 of IPC at Police Station City Yamunanagar, District Yamunanagar (Annexure P/1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 07.08.2018 (Annexure P/3).

(HARI PAL VERMA)
JUDGE

12.11.2018
sanjeev/sunil devi

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