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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.38001 of 2017
Date of Decision: 15.01.2018

Vijay

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Namit Khurana, Advocate,
for the petitioner.

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

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No.153, dated 23.06.2017, under Sections 279/337 of the Indian Penal Code, registered at Police Station Kunjpura, District Karnal, (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide Compromise Deed (Annexure P-2), which is duly signed by him. The matter was referred to the Court below for recording of statements of the

parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate Ist Class, Karnal, vide report dated 09.11.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondents No. 2 and 3 are not present nor they are represented by their counsel. However, they have made statement on 31.10.2017, before the Judicial Magistrate Ist Class, Karnal, whereby they have admitted the factum of compromise with the accused person voluntarily and without any pressure or coercion.

[4]. In view of the report of the Judicial Magistrate Ist Class, Karnal, and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioner/ accused person.

[5]. In the circumstances, the present petition is allowed. F.I.R. No.153, dated 23.06.2017, under Sections 279/337 of the Indian Penal Code, registered at Police Station Kunjpura, District Karnal, (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioner.

15.01.2018

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No