

269.

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

CRM-M-3989-2018

Date of decision:11.07.2018.

HARBHAJAN SINGH

... Petitioner

Versus

STATE OF HARYANA AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
for respondent No.1.

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 F.I.R. No.386 dated 29.10.2014 under Sections 323, 452, 506 IPC, registered at Police Station Pehowa, District Kurukshetra (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 21.12.2017 (Annexure P-2).

This Court vide order dated 01.02.2018 had directed the parties to appear before the 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, Pehowa and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 21.02.2018 to the effect that the compromise has

been effected between the parties voluntarily, without any pressure or coercion and the same is genuine.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Surender Kaur, but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 19.02.2018 to the effect that she has no objection in case the FIR in question is quashed.

Learned State counsel, on instructions from ASI Janpal Singh, does not dispute 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.386 dated 29.10.2014 under Sections 323, 452, 506 IPC, registered at Police Station Pehowa, District Kurukshetra (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 21.12.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

11.07.2018
sanjeev

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