

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

252

CRM-M-42508-2018

Date of Decision:19.12.2018

Naveen Bansal and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Chirag Wadhwa, Advocate,
for the petitioners.

Mr. Anmol Malik, A.A.G., Haryana.

Mr. Gurinder Singh, Advocate for
Mr. Dilraj Singh, Advocate,
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.771 dated 28.07.2016 under Sections 217, 323, 420, 467, 468, 506, 120-B IPC, registered at Police Station Karnal City, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 08.09.2018 (Annexure P-2).

This Court vide order dated 27.09.2018 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Chief Judicial Magistrate, Karnal and got their statements recorded.

On the basis of the statements so recorded, learned Magistrate has submitted

report dated 08.12.2018 to the effect that the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

Respondent No.2-complainant, namely, Sunny Narang as well as the petitioners-accused have made a joint statement to the effect that they have compromised the matter without any threat or pressure. The complainant has shown no objection to the present FIR being quashed.

Learned State counsel as well as learned counsel for respondent Nos.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 FIR No.771 dated 28.07.2016 under Sections 217, 323, 420, 467, 468, 506, 120-B IPC, registered at Police Station Karnal City, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 08.09.2018 (Annexure P-2), subject to payment of costs of ₹5,000/- to be paid within 15 days from today with the Poor Patients Welfare Fund, PGIMER, Chandigarh. The petitioners shall produce a receipt with the Registry.

December 19, 2018

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(HARI PAL VERMA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No