

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-43708 of 2018

Date of Decision: 15.12.2018

Rajbir & another

...Petitioner(s)

Versus

State of Haryana & another

...Respondent(s)

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

Present:- None for the petitioners.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.1245 dated 17.10.2017 under Sections 420, 406, 120-B IPC registered at PS Ballabgarh City, District Faridabad along with all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 04.10.2018 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to compromise so arrived and learned Illaqa Magistrate/trial Court was directed to submit its report regarding the genuineness of the compromise so effected on the basis of statements so recorded.

Pursuant to the aforesaid order, the parties have appeared before Judicial Magistrate Ist Class, Faridabad and got their statements recorded. Learned Magistrate has forwarded his report dated 05.11.2018 to the effect that the compromise arrived at between the two sides is genuine and voluntary and the complainant has no objection to the FIR being quashed.

Learned State counsel has filed reply by way of affidavit of Balbir Singh, HPS, Assistant Commissioner of Police, Ballabgarh, Faridabad, on behalf of respondent no.1 and does not dispute the factum of compromise effected between the parties.

There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007 (3) RCR (Criminal) 1252 (P&H), as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others**, (2012)12 SCC 303, this petition is allowed and FIR No.1245 dated 17.10.2017 under Sections 420, 406, 120-B IPC registered at PS Ballabgarh City, District Faridabad along with all subsequent proceedings arising therefrom are quashed *qua* the petitioners, on the basis of compromise (Annexure P-2).

December 15, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No