

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

**CRM-M-45257-2017
Date of decision:12.07.2018**

Shri Ram and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Bhupinder Banga, Advocate
for the petitioners.

Mr. Navdeep Singh, AAG, Haryana
for respondent No.1.

Mr. Tusar, Advocate
for respondent No.2.

GURVINDER SINGH GILL, J. (ORAL)

The petitioners seek quashing of FIR No.233 dated 18.08.2016 under Sections 323, 324, 34 of the Indian Penal Code, 1860, Police Station Agroha, District Hisar and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 07.02.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded.

Report of learned Judicial Magistrate Ist Class, Hisar has been received wherein it has been reported that he has recorded

statements of both the parties. It has specifically been opined by Judicial Magistrate Ist Class, Hisar that in his opinion the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion in any manner and they had suffered their statements voluntarily.

State has also filed reply by way of affidavit of Mr. Mohammad Jamal, DSP, Headquarter, Hisar wherein it had been sated that no compromise took place during investigation of the case. It is further mentioned in the reply that another FIR No.64 dated 23.08.2016 under Sections 354(A)(1) and 506 IPC had also been registered against petitioner No.1.

Learned counsel for the petitioners has further stated at bar that said FIR No.64 already stands quashed on the basis of compromise.

In view of the aforesaid report of learned Judicial Magistrate Ist Class, Hisar as regards compromise having been effected amongst parties and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition stands allowed and FIR No.233 dated 18.08.2016 under Sections 323, 324, 34 of the Indian Penal Code, 1860 Police Station Agroha, District Hisar and all the consequent proceedings arising therefrom are hereby quashed.

(GURVINDER SINGH GILL)
JUDGE

12.07.2018
Gaurav Sorot

Whether reportable? Yes / No

Whether reasoned / speaking? Yes / No