

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

CRM-M-47317-2017 (O&M)

Date of Decision: 05.10.2018

Nitin Sahai Kalia

... Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: None for the petitioner.

Mr. Arun Kumar, A.A.G., Haryana.

None for respondent No.2.

ANITA CHAUDHRY, J.(oral)

The instant petition is for quashing of FIR No.533 dated 28.11.2009 registered under Sections 406/498-A/420/323/506/120-B of IPC at Police Station Sector-5, District Panchkula and the consequent proceedings arising out of the same, on the basis of compromise arrived at between the parties.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. The trial Court has reported that the compromise is without any kind of undue influence or pressure. The trial Court has also sent statements of the parties in original.

Learned counsel for the State on instructions submits that petitioners are the only accused and respondent no.2 is the only aggrieved person in this FIR.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, approved by Hon'ble Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed *qua* the petitioners.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

(ANITA CHAUDHRY)
JUDGE

05.10.2018

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No