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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.48903 of 2017
Date of Decision: 07.02.2018

Ashok Kumar

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: None for the petitioner.

Mr. Manish Bansal, D.A.,G., Haryana,
for respondent No.1.

None for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No.0842, dated 13.11.2016, under Sections 500, 501 and 506 of the Indian Penal Code, registered at Police Station Sirsa City, District Sirsa, (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

2. No one has put in appearance on behalf of the petitioner.

3. With the intervention of respectables and elderly people of the

society, respondent No.2 has arrived at a settlement with the accused vide Compromise Deed (Annexure P-2) which is duly signed by him. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Additional Chief Judicial Magistrate, Sirsa, vide report dated 30.01.2018, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

4. Seen Report sent up by the Additional Chief Judicial Magistrate, Sirsa.

5. Respondent No. 2 is not present nor he is represented by his counsel. However, he has made a statement on 25.01.2018, before the Additional Chief Judicial Magistrate, Sirsa, whereby he has admitted the factum of compromise with the accused and deposed that the compromise has been effected between them voluntarily and without any undue influence, coercion or pressure.

6. In view of the report of the Additional Chief Judicial Magistrate, Sirsa, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioner/accused.

7. In the circumstances, the present petition is allowed. F.I.R. No.0842, dated 13.11.2016, under Sections 500, 501 and 506 of the Indian

Penal Code, registered at Police Station Sirsa City, District Sirsa, (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioner.

07.02.2018

Apurva

(SUDIP AHLUWALIA)

JUDGE

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No