

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

115

CRM-M-49291 of 2017 (O&M)
Date of Decision: 31.10.2018.

Kuldeep and others

.....Petitioners.

Vs.

State of Haryana and others.

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAMENDRA JAIN

Present: Ms. Ashwarya Bajaj, Advocate for the petitioners.
Mr. Vikas Chopra, DAG, Haryana.

RAMENDRA JAIN, J (ORAL)

Prayer in the instant petition under Section 482 Cr.P.C. has been made for quashing of FIR No.230 dated 17.02.2008, under Sections 148, 149, 323, 506 IPC, registered at Police Station Sadar Karnal, District Karnal (Annexure P-1) and judgement of conviction dated 10.01.2014 and order of sentence dated 14.01.2014 passed by learned JMFC Karnal alongwith all subsequent proceedings arising therefrom on the basis of affidavit in the shape of compromise (Annexure P-3) arrived at between them.

Vide order dated 28.09.2018, parties were directed to appear before the Trial Court for recording their statements qua compromise between them. The trial court was directed to report as to whether compromise between them is genuine without any pressure or undue influence and also whether any accused was declared as proclaimed offender. Vide letter dated 5481 dated 26.10.2018. Judicial Magistrate Ist Class, Karnal duly forwarded by District & Sessions Judge, Karnal vide letter No.14266 dated 15.09.2018 has reported that

compromise between the petitioners and complainant is genuine, without any pressure or undue influence and in favour of the parties to live with peace and harmony.

Considering the above report and compromise between the parties and that the compromise will bring harmony in relations between the parties, the impugned judgement of conviction dated 10.01.2014 and order of sentence dated 14.01.2014 is set aside. FIR No.230 dated 17.02.2008 registered at Police Station Sadar Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom are also quashed qua petitioners only subject to payment of cost of Rs.10,000/-, out of which half of the amount shall be deposited with High Court Bar Association, Chandigarh and remaining with Haryana Legal Service Authority.

However, the FIR shall remain in force against respondent no.3 namely Romi son of Shiv Kumar, resident of village Staundi, Tehsil and District, Karnal, who as per report of Judicial Magistrate Ist Class has been declared as proclaimed offender.

Disposed of accordingly.

List on 30.11.2018, for production of receipt with regard to deposit of aforesaid costs.

(Ramendra Jain)
Judge

October 31, 2018
raman

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No