

CRM-M-9750-2017

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

CRM-M-9750-2017

Date of Decision: 11th January, 2018

Hardeep Kaur & others

...Petitioners

Versus

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Vineet Chaudhary, Advocate
for the petitioners.

Mr. Kuldeep Sharma, DAG, Haryana.

AUGUSTINE GEORGE MASI, J. (ORAL)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.51 dated 08.03.2015, under Sections 420, 467, 471, 406, 506, 34 and 120-B of the Indian Penal Code, registered at Police Station Ladwa, District Kurukshetra (Annexure P-1) and all subsequent proceedings arising out of the same, in the light of the compromise dated 16.02.2017 (Annexure P-2) entered into between the petitioners and the complainant.

In pursuance to the submissions made by the counsel for the petitioners and the prayer made in the petition, notice of motion was issued to respondent No.1-State as also respondent No.2-complainant-Manjeet Singh on 22.03.2017, which order reads as follows:-

“Heard.

Notice of motion.

On asking of the Court, Mr. Munish Sharma, Asstt. Advocate General, Haryana accepts notice on behalf of respondent No.1-State. A copy of the paper book be supplied to him.

Mr. Ramandeep Singh, Advocate has put in appearance on his own on behalf of respondent No.2 and filed his *vakalatnama* today in the Court. Same is taken on record.

In the light of contentions that the parties have since then effected compromise, they are directed to put in appearance before the Illaqa Magistrate, Police Station Ladwa, District Kurukshetra within 15 days from today to record their statements and the Illaqa Magistrate shall make report as to its satisfaction and submit it back before the next date of hearing. The Magistrate shall also intimate if any of the parties to this petition has been declared as Proclaimed Offender.

List on 30th August, 2017.”

In compliance with the order passed by this Court, report has been submitted by the Judicial Magistrate First Class, Kurukshetra, dated 05.11.2017 (at flag 'A'). As per the said report, the compromise which has been entered into between the parties is voluntary and without any coercion and therefore, the same is genuine and arrived at amicably by the parties. The Magistrate has further stated that none of the petitioners is proclaimed

CRM-M-9750-2017

offender. Except for the petitioners, there is no other accused in the FIR.

In the light of the fact that the parties have entered into a compromise especially when the dispute primarily between the parties was with regard to certain allegations of not sending the complainant abroad and keeping in view the report submitted by the Judicial Magistrate First Class, Kurukshetra as also the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another, 2007 (3) RCR (Criminal) 1052*, the present petition is allowed. FIR No.51 dated 08.03.2015, under Sections 420, 467, 471, 406, 506, 34 and 120-B of the Indian Penal Code, registered at Police Station Ladwa, District Kurukshetra (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed.

11th January, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No