

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-8586 of 2018
Date of Decision: 31.5.2018**

Gaurav Bajaj and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Vikrampreet Arora, Advocate
for the petitioners.

Ms. Dimple Jain, AAG, Haryana

Mr. G.C.Shahpuri, Advocate
for respondent No. 2.

ANITA CHAUDHRY, J (ORAL)

The instant petition is for quashing of FIR No. 646 dated 18.9.2014 registered under Sections 498-A, 406, 506, 420, 354, 34 IPC, Police Station Jagadhri City, District Yamuna Nagar and all the consequent proceedings arising out of the same, on the basis of compromise (Annexure P-2) arrived at between the parties.

In the petition, the petitioner had mentioned that petitioner No. 1 was out of India and during trial he was declared proclaimed offender.

Counsel for the petitioner states that it was a wrong plea taken by them in the petition and he had never been declared proclaimed offender.

State counsel submits that arrest warrants had been issued against Gaurav Bajaj but he was never declared a proclaimed person.

Petitioner No.2 has made statement before the trial Court on his

behalf as well as on behalf of petitioner No.1 being his special power of attorney.

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 voluntary, without any pressure, threat or coercion. The trial Court has also sent the statements of the parties.

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

May 31, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No