

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-4142-2019(O&M)

Date of Decision:10.05.2019

Rahul and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Sumit Sangwan, Advocate,
for the petitioners.**

Ms. Priyanka Sadar, A.A.G., Haryana.

**Ms. Anu Bala Garg, Advocate for
Mr. Vikrant Rana, Advocate,
for respondent No.2.**

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.260 dated 09.07.2018 under Sections 323, 34, 354, 452, 506 IPC (the offence punishable under Section 325 IPC was added later on), registered at Police Station Dadri City, District Charkhi Dadri (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 20.01.2019 (Annexure P-2).

This Court vide order dated 29.01.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Chief Judicial Magistrate, Charkhi Dadri and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 26.03.2019 to the effect that the parties have entered into the compromise with the intervention of Panchayat voluntarily and without having any fear or pressure.

Respondent No.2-complainant, namely, Manju, has made a statement with regard to compromise before learned Magistrate on 19.03.2019 to the effect that she has compromised the matter with the accused with her free will and without any pressure with the intervention of Panchayat and has no objection if the FIR registered against the accused is quashed.

Learned State counsel as well as learned counsel for respondent Nos.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following 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* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and FIR No.260 dated 09.07.2018 under Sections 323, 34, 354, 452, 506 IPC (the offence punishable under Section 325 IPC was added later on), registered at Police Station Dadri City, District Charkhi Dadri (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 20.01.2019 (Annexure P-2).

May 10, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No