

272.

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

CRM-M-4900-2019

Date of decision:16.05.2019

RAVINDER AND ORS

... Petitioners

versus

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

Mr. Manish Bansal, DAG, Haryana,for respondent No.1.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.259 dated 06.06.2015 registered under Sections 323, 34, 354, 452, 506 of IPC at Police Station Gharaunda, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom including the challan under Section 173 Cr.P.C. and the charges etc. on the basis of compromise dated 19.01.2019 (Annexure P-3).

This Court vide order dated 01.02.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Karnal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 30.03.2019 to the

effect that the compromise is genuine and has been effected between the parties voluntarily and out of their free will.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Venus Gupta, but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 07.03.2019 to the effect that she has compromised the matter with the accused-petitioners voluntarily with her own free will, without any pressure or coercion and has no objection in case the FIR in question is quashed qua the petitioners.

Learned State counsel has 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 F.I.R. No.259 dated 06.06.2015 registered under Sections 323, 34, 354, 452, 506 of IPC at Police Station Gharaunda, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom including the challan under Section 173 Cr.P.C. and the charges etc. are quashed qua the petitioners on the basis of compromise dated 19.01.2019 (Annexure P-3).

(HARI PAL VERMA)
JUDGE

16.05.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No