

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

276

CRM-M-7537-2019

Date of Decision:22.07.2019

Parveen and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

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

Present: Mr. Vikas Lochab, Advocate,
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

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 FIR No.182 dated 21.05.2017 under Sections 148, 149, 323, 354(B), 379(A), 452, 506 IPC, registered at Police Station Kundli Sonipat, District Sonipat (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 07.01.2019 (Annexure P-2).

Learned State Counsel, on instructions from ASI Devinder Singh, states that in the aforesaid FIR after investigating the matter, the police has submitted the challan against the accused under Sections 323, 506, 34 IPC. In this manner, the present FIR survives only under Sections 323, 506, 34 IPC.

This Court vide order dated 20.02.2019 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 Judicial Magistrate 1st Class, Sonipat and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 02.04.2019 to the effect that the compromise between the parties is genuine, voluntarily and without any coercion or undue influence.

Though no one is present on behalf of respondent No.2-Deepa in Court today, but no prejudice would be caused to her as she has already made a statement with regard to compromise before learned Magistrate on 29.03.2019. The same is reproduced as under:-

“It is stated that the undersigned has voluntarily arrived at compromise with accused namely Sandeep, Parveen and Saddam in case FIR No.182 dated 21.05.2017 under Section 323 & 506 read with Section 34 of the Indian Penal Code, 1860 registered at P.S. Kundli, without any pressure, coercion, undue influence, duress, misrepresentation, fraud etc. It is further stated that this compromise is genuine because it has been arrived out of my free will and conscience.”

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 FIR No.182 dated 21.05.2017 under Sections 323, 506, 34 IPC, registered at Police Station Kundli Sonipat, District Sonipat (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 07.01.2019 (Annexure P-2).

July 22, 2019
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No