

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-33915-2018 (O&M)
Date of Decision:-21.2.2019

Joni and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S. Matya, Advocate for the petitioners.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.

Mr. Navneet Kumar, Advocate for respondents No.2 and 3.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioners seek quashing of FIR No.79 dated 10.7.2017 registered at Police Station City Sohna, District Gurugram, Haryana under Sections 323, 506 and 34 of Indian Penal Code, 1860, wherein offence under Section 307 IPC was added later on, and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Reply by way of affidavit of Sh. Dinesh Kumar, HPS, Assistant Commissioner of Police, Sohna, District Gurugram has been filed by learned State counsel today in Court, which is taken on record.

Vide order dated 8.8.2018, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.

Report of learned Sub-Divisional Judicial Magistrate-cum-Additional Civil Judge (Sr. Div.), Sohna, Gurugram has been received, wherein it has been reported that statements of petitioners/accused Joni and Subhash and also of complainant Rahul and injured Ravi have been recorded to the effect that they have compromised the matter amongst themselves and they have no objection in case the FIR is quashed.

The learned Sub-Divisional Judicial Magistrate-cum-Additional Civil Judge (Sr. Div.), Sohna, Gurugram has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.

In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (CrL.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.79 dated 10.7.2017 registered at Police Station City Sohna, District Gurugram, Haryana under Sections 323, 506 and 34 of Indian Penal Code, 1860, wherein offence under Section 307 IPC was added later on, and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

21.2.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No