

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

282

CRM-M-16755-2019

Date of Decision:19.07.2019

Arun Kumar Saini

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

Present: None for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

None for respondent Nos.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.105 dated 10.02.2019 under Section 346 IPC (the offences punishable under Sections 363/366-A IPC were added later on), registered at Police Station City Narnaul, District Mahendergarh (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of affidavit dated 25.03.2019 (Annexure P-2).

This Court vide order dated 11.04.2019 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, Narnaul and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 12.06.2019 to the effect that the matter has been settled between the parties amicably, voluntarily, without any pressure, undue influence or coercion.

Though no one is present on behalf of respondent No.2-complainant-Sangeet Kumar and respondent No.3-Muskan Bhatnagar in Court today, but no prejudice would be caused to them as they have already made a joint statement with regard to compromise before learned Magistrate to the effect that now they have compromised the matter and the complainant does not want to take any action against the accused and they have no objection if the FIR in question is quashed.

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.105 dated 10.02.2019 under Section 346 IPC (the offences punishable under Sections 363/366-A IPC were added later on), registered at Police Station City Narnaul, District Mahendergarh (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of affidavit dated 25.03.2019 (Annexure P-2), subject to payment of costs of ₹5,000/- to be paid by the petitioner, within a period of one month from today with the Pandit Bhagwat Dayal Sharma Post Graduate Institute of Medical Sciences,

Rohtak and the said amount would be spent for the treatment of poor patients within the knowledge of its Director. The petitioner shall produce a receipt with the Registry.

July 19, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No