

298.

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

CRM-M-19652-2019

Date of decision: 13.08.2019

MANOJ KUMAR @ MANOJ SONI

... Petitioner

versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0940 dated 08.11.2017 registered under Sections 323, 354, 354B, 354D, 506, 452, 201 of IPC at Police Station Civil Lines Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 12.03.2019 (Annexure P-2).

This Court vide order dated 01.05.2019 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 Chief Judicial Magistrate, Karnal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 29.07.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any pressure.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Anju but no prejudice would be

compromise before learned Magistrate on 10.06.2019 to the effect that she has compromised the matter with the accused without any pressure or coercion and has no objection in case the FIR qua the petition is quashed.

Apart from above, similar statements have been made by respondent No.3 and 4, namely, Raj Kumar and Paras (the eyewitnesses) respectively, whereby they have shown no objection to the FIR being quashed.

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.0940 dated 08.11.2017 registered under Sections 323, 354, 354B, 354D, 506, 452, 201 of IPC at Police Station Civil Lines Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom qua the petitioner on the basis of compromise dated 12.03.2019 (Annexure P-2), however, that would be subject to payment of costs of Rs.10,000/- to be deposited with the Kalpana Chawla Govt. Medical College and Hospital, Karnal within a period of one month from today 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.

(HARI PAL VERMA)
JUDGE

13.08.2019
sanjeev

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