

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

CRM-M-40944-2018
Date of decision:1.5.2019

Narender and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Chanderhas Yadav, Advocate
for the petitioners.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Rubi Patil, Advocate
for respondents No.2 and 3.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seek quashing of FIR No.244 dated 23.05.2018 under Sections 148, 149, 323, 324, 447 and 506 of the Indian Penal Code (Section 25 of Arms Act dropped during investigation), Police Station Beri, District Jhajjar and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Reply by way of affidavit of Mr. Naresh Kumar, HPS, Deputy Superintendent of Police, Beri, District Jhajjar on behalf of

respondent No.1 filed, which is taken on record.

3. Vide order dated 17.09.2018 the parties had been directed to appear before the trial Court/Illaqa Magistrate so as to get the statements recorded with regard to the genuineness of the compromise.
4. Report of learned Additional Chief Judicial Magistrate, Jhajjar has been received wherein it has been reported that statements of the petitioners as well as of Birender-complainant and Baljeet-injured have been recorded who have stated that they have compromised the matter and that complainant as well as injured have no objection if the FIR is quashed. It has specifically been opined by learned Additional Chief Judicial Magistrate, Jhajjar that parties have compromised the matter which was entered into without any force and with free consent.
5. 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 petition is allowed and FIR No.244 dated 23.05.2018 under Sections 148, 149, 323, 324, 447 and 506 of the Indian Penal Code (Section 25 of Arms Act dropped during investigation), Police Station Beri, District Jhajjar and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

(GURVINDER SINGH GILL)
JUDGE

1.5.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No