

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

CRM-M-41560-2018 (O&M)

Date of Decision:- 3.5.2019

Rahul and others

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Madan Sandhu, Advocate,
for the petitioners.

Mr. Brijesh Sharma, DAG, Haryana.

Mr. Piyush Aggarwal, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The present petition has been filed for quashing of FIR No.304, dated 7.7.2018, registered at Police Station DLF PH-1, Gurugram, District Gurugram, under Sections 323, 324, 506, 34 IPC (Section 195-A IPC added later on), and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 20.9.2018 the parties had been directed to appear before the trial Court so as to get the statements recorded.
3. Report of learned Judicial Magistrate 1st Class, Gurugram, has been received wherein it has been reported that statement of complainant

Narender as well as of petitioners/accused Rahul, Vicky, Chaman Lal and Sachin, have been recorded to the effect that they have entered into a compromise with the intervention of respectables. The complainant has specifically stated that the matter has been compromised and he does not want to pursue with the matter. Learned Judicial Magistrate 1st Class, Gurugram, opined that compromise has been voluntarily effected between the parties and the compromise is genuine, voluntary and without any coercion or undue influence and is an outcome of free consent of both the parties.

4. In view of the aforesaid report 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.304, dated 7.7.2018, registered at Police Station DLF PH-1, Gurugram, District Gurugram, under Sections 323, 324, 506, 34 IPC (Section 195-A IPC added later on), and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

May 3, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No