

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

CRM-M-42535-2018 (O&M)

Date of Decision:- 24.1.2019

Jitender @ Bunty and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Saurabh Sharma, Advocate, for
Mr. Yashveer Kharab, Advocate, for the petitioners.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Hitesh Ghai, Advocate for
Mr. Suryakant Gautam, Advocate, for respondents No.2 and 3.

GURVINDER SINGH GILL, J. (Oral)

The present petition has been filed for quashing of FIR No. 482, dated 10.11.2008, registered at Police Station Model Town, District Panipat, under Sections 323, 452, 395, 397 and 506 IPC (Sections 395 and 397 of IPC were deleted later and Section 27 of Arms Act was added) and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 28.9.2018 the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get the statements recorded.

Report of learned Judicial Magistrate 1st Class, Panipat has been received to the effect that statement of complainant/injured-Mahesh and

Chander Kant Gautam and also of petitioners/accused Jitender @ Banty, Krishan Kumar, Sultan, Dalwinder @ Binder, Pankaj and Ravinder @ Fauji have been recorded to the effect that the matter has been compromised amicably. The complainant/injured have specifically stated that they have no objection if the FIR in the present case is quashed. Learned Judicial Magistrate 1st Class, Panipat opined that the compromise arrived between the parties is genuine, voluntary and without any coercion or undue influence.

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. 482, dated 10.11.2008, registered at Police Station Model Towan, District Panipat, under Sections 323, 452, 395, 397 and 506 IPC (Sections 395 and 397 of IPC were deleted later and Section 27 of Arms Act was added) were added) and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

January 24, 2019
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(GURVINDER SINGH GILL)
JUDGE

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