

122.

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

**CRM-6796,10230 & 10237-2019 IN/AND
CRM-M-46779-2018 (O&M)**

Date of decision:03.04.2019.

VIVEK KUMAR CHOUDHARY & ORS. ... Petitioners

versus

STATE OF HARYANA AND OTHERS Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Ajay Kalra, Advocate, for the petitioners.

Ms. Mahima Yashpal, AAG, Haryana, for respondent No.1.

Mr. Mrigank Sharma, Advocate, for respondents No.2 & 5.

HARI PAL VERMA, J.(Oral)

CRM-6796-2019

This is an application filed on behalf of the petitioners for impleading Supriya Singh (daughter of the complainant) as respondent No.5 in the petition seeking quashing of FIR No.368 dated 04.08.2018 registered under Sections 323 and 506 of IPC at Police Station Sector 5, Panchkula.

Notice in the application.

At this stage, Mr. Mrigank Sharma, Advocate has put in appearance on behalf of respondent No.5, who is daughter of respondent No.2-complainant.

For the reasons stated in the application, same is allowed and Supriya Singh is ordered to be impleaded as respondent No.5 in the petition.

The amended memo of parties is taken on record.

CRM-10230-2019

place on record copy of Compromise/Settlement dated 08.03.2019 (Annexure P-11) entered between the parties before the Mediator.

For the reasons stated in the application, same is allowed and the document Annexure P-11 is taken on record.

CRM-10237-2019

Prayer in this application filed under Section 482 Cr.P.C. is for preponement of hearing of the main petition which is otherwise fixed for 16.05.2019.

Counsel states that since the matter has been resolved between the parties, the main petition, which is otherwise fixed for 16.05.2019, may be preponed and taken on board today itself.

Notice in the application.

Counsel for the complainant and State have no objection in case the main petition is taken on board today itself.

Accordingly, the hearing of the main petition which is fixed for 16.05.2019 is preponed and the petition is taken on board today itself.

CRM-M-46779-2018

Prayer in this petition filed under Section 482 Cr.P.C. read with Article 226/227 of the Constitution of India is for quashing of FIR No.368 dated 04.08.2018 registered under Sections 323 and 506 of IPC at Police Station Sector 5, Panchkula.

Counsel for the petitioners states that since the dispute between the parties has been resolved and the matter has been compromised, the FIR No.368 (supra) is liable to be quashed.

Learned counsel for the complainant has not disputed the

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

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.368 dated 04.08.2018 registered under Sections 323 and 506 of IPC at Police Station Sector 5, Panchkula and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 08.03.2019 (Annexure P-11), however, that would be subject to payment of costs of Rs.20,000/- to be deposited with the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, within one month from today.

Since the FIR No.368 dated 04.08.2018 registered under Sections 323 and 506 of IPC at Police Station Sector 5, Panchkula has been quashed on the basis of compromise/settlement arrived at between the parties, it shall not have any adverse effect upon the petitioners.

(HARI PAL VERMA)
JUDGE

03.04.2019
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.