

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

270

CRM-M-23402-2019(O&M)

Date of Decision:02.09.2019

Suraj Bhan and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Narender Singh Kamboj, Advocate,
for the petitioners.**

Mr. Vikramjit Singh, Addl. AG, Haryana.

**Mr. Sandeep K. Katik, Advocate,
for respondent No.2.**

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.0120 dated 22.04.2017 under Sections 323, 354, 506, 120-B/34 IPC, registered at Police Station Taraori, District Karnal (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 21.03.2019 (Annexure P-2).

Learned counsel for the petitioner states that petitioner Nos.1 to 3 are major and facing trial before the regular court, whereas petitioner Nos.4 and 5 are juvenile and their case is pending before Juvenile Justice Board. Petitioner Nos.1 and 2 are in-laws, petitioner No.3-Manjeet Kumar is husband of the complainant, whereas petitioner Nos.4 and 5 are sons of respondent No.2-complainant Suman. The respondent No.2-complainant

has suffered statement in favour of the petitioners on 19.07.2019 in which she has admitted the very factum of the compromise.

This Court vide order dated 24.05.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Karnal as well as Principal Magistrate, Juvenile Justice Board, Karnal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate(s) have submitted reports dated 19.07.2019 & 05.08.2019 to the effect that the compromise effected between the parties is with their own free will and without any pressure, undue influence or coercion and the same is genuine one.

Respondent No.2-complainant, namely, Suman as well as petitioner Nos.1 to 3, have made a joint statement with regard to compromise before learned Magistrate on 19.07.2019 to the effect that they has compromised the matter without any fear or pressure and the complainant has no objection if the present FIR registered against the petitioners-accused is quashed.

Apart from above, a similar joint statement 19.07.2019 has also been made by petitioner Nos.4 and 5 to the effect that they have compromised the matter with the complainant-respondent No.2 with their free will and without any fear or pressure.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

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 FIR No.0120 dated 22.04.2017 under Sections 323, 354, 506, 120-B/34 IPC, registered at Police Station Taraori, District Karnal (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 21.03.2019 (Annexure P-2).

September 02, 2019
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No