

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

CRM-M-50170-2018 (O&M)
Date of Decision:-21.2.2019

Yogesh Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Suresh Kumar Kaushik, Advocate for the petitioner.
Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.
Mr. Lajpat Sharma, Advocate for respondents No.2 to 5.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seeks quashing of FIR No.288 dated 12.7.2005 registered at Police Station Sadar, Karnal, District Karnal under Sections 148, 149, 323, 324, 325, 326, 452 and 506 of Indian Penal Code, 1860 as well as order dated 3.6.2010 (Annexure P-2), whereby the petitioner was declared a proclaimed offender and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 26.11.2018, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.

Report of learned Additional Chief Judicial Magistrate, Karnal has been received, wherein it has been reported that statements of

petitioner/accused Yogesh Kumar and also of complainant and injured Surjeet Singh Narwal, Kulbir Singh, Prithvi Singh and Sandeep have been recorded to the effect that they have compromised the matter amongst themselves and they have no objection in case the FIR is quashed.

The learned Additional Chief Judicial Magistrate, Karnal has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.

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 present petition is allowed and FIR No.288 dated 12.7.2005 registered at Police Station Sadar, Karnal, District Karnal under Sections 148, 149, 323, 324, 325, 326, 452 and 506 of Indian Penal Code, 1860 and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

21.2.2019

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**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No