

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

CRM-M-947-2016 (O&M)
Date of Decision:-22.5.2019

Mahabir Prasad Tiwari and others ... Petitioners

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Neeru Thakur, Advocate for
Mr. Rajesh Lamba, Advocate for the petitioners.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.

Ms. Shelja Sharma, Advocate for
Mr. Sunil Dhanda, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

The petitioners have approached this Court seeking quashing of FIR No.273 dated 16.5.2015 registered at Police Station Sarai Khawaja, District Faridabad under Sections 420, 406, 467, 468, 471 and 120-B Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 14.2.2019, 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 Judicial Magistrate 1st Class, Faridabad has been received, wherein it has been reported that statements of petitioners/accused Mahabir Prasad Tiwari and Manoj Yadav and also of

complainant Saroj Devi 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. It has also been that the petitioner/accused No.2 Prem Kumar Sharma has expired.

The learned Judicial Magistrate 1st Class, Hisar 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.273 dated 16.5.2015 registered at Police Station Sarai Khawaja, District Faridabad under Sections 420, 406, 467, 468, 471 and 120-B Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

22.5.2019

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**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No