

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

CRM-M-52183-2018 (O&M)
Date of Decision:-15.3.2019

Kamal @ Kallu

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikaram Singh, Advocate for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seeks quashing of FIR No.118 dated 12.4.2018 registered under Sections 34 and 379-A of Indian Penal Code, 1860 at Police Station Kunjpura, District Karnal and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Reply by way of affidavit of Sh. Randhir Singh, HPS, Dy. Superintendent of Police, Indri, Karnal has been filed by learned State counsel today in Court, which is taken on record.

Vide order dated 28.11.2018, 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 District and Sessions Judge, Karnal, has been received, wherein it has been reported that statements of

petitioner/accused Kamal @ Kallu and also of complainant Neelam 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 complainant has stated that she has compromised the matter with Kamal @ Kallu (petitioner) only.

The learned Additional District and Sessions Judge, 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.118 dated 12.4.2018 registered under Sections 34 and 379-A of Indian Penal Code, 1860 at Police Station Kunjpura, District Karnal and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

15.3.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No