

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

CRM-M-26004 of 2019.

Decided on:- October 16, 2019.

Sanjiv @ Sanjay.

.....Petitioner.

Versus

State of Haryana and another

.....Respondents.

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

Present:- Mr. Rajesh Bansal, Advocate
for the petitioner.

Ms. Priyanka Sadar, A.A.G., Haryana.

Mr. Hardeep Singh, Advocate for
Mr. Ram Bilas Gupta, 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.229 dated 06.07.2018 under Sections 341, 354 and 506 IPC registered at Police Station Madhuban, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise deed dated 17.05.2019 (Annexure P-2).

This Court vide order dated 01.07.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their respective statements recorded with regard to compromise and the Court was directed to send its report qua genuineness of the compromise.

Pursuant to the aforesaid order, the petitioner and respondent No.2-complainant have appeared before learned Judicial Magistrate 1st Class, Karnal and got their statements recorded on 01.08.2019. On the basis of the statements so recorded by the parties, learned Magistrate has submitted the report dated 20.08.2019 to the effect that the compromise is genuine, without any pressure or undue influences.

Learned State counsel and learned counsel for respondent No.2-complainant have not disputed the factum of compromise.

The FIR in question has been recorded on the basis of statement of respondent No.2-complainant Mukesh Mann. She has made a statement before learned Magistrate on 01.08.2019 that the matter has been compromised with the petitioner and she has no objection in case the present FIR is quashed.

In view of the above, continuation of the proceedings before the trial Court in the instant FIR qua the petitioner shall be an abuse of the process of law.

Thus, 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***, the present petition is allowed and the FIR No.229 dated 06.07.2018 under Sections 341, 354 and 506 IPC registered at Police Station Madhuban, District Karnal (Annexure P-1) and all consequential proceedings

arising therefrom are quashed qua the petitioner on the basis of compromise deed dated 17.05.2019 (Annexure P-2).

October 16, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No