

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

CRM-M-38650-2019 (O&M)

Date of Decision:- 28.11.2019

Sandeep alias Kaka

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Diwan S. Adlakha, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Vivek Sharma Vats, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking quashing of FIR No.120, dated 27.7.2015, registered at Police Station Pratap Nagar, under Sections 323, 354, 452 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 11.9.2019, 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.
3. Report of learned Judicial Magistrate 1st Class, Bilaspur, Yamuna Nagar, has been received, wherein it has been reported that statements of petitioner/accused Sandeep alias Kaka and also of

complainant Sarma Devi have been recorded to the effect that they have compromised the matter amongst themselves.

4. The complainant in her statement has specifically stated that she has no objection in case the FIR in question is quashed.
5. The learned Judicial Magistrate 1st Class, Bilaspur, Yamuna Nagar, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
6. 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.120, dated 27.7.2015, registered at Police Station Pratap Nagar, under Sections 323, 354, 452 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioner.

November 28, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No