

290.

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

CRM-M-39600-2019

Date of decision: 29.11.2019

HARINDER CHAUDHARY AND OTHERS

... Petitioners

versus

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sukhdeep Singh, Advocate, for
Mr. Parminder Singh, Advocate,
for the petitioners.

Ms. Priyanka Sadar, AAG, Haryana,
for respondent No.1.

Mr. Dinesh Maurya, 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 F.I.R. No.544 dated 03.07.2019 registered under Sections 323, 354-A, 354-B, 506, 34 of IPC at Police Station Civil Lines, Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 21.08.2019 (Annexure P-2).

This Court vide order dated 17.09.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Chief Judicial Magistrate, Karnal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 22.11.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any coercion or undue influence.

Respondent No.2-complainant, namely, Konika Singh has made her statement with regard to compromise before learned Magistrate on 30.10.2019 to the effect that she has compromised the matter with the accused-petitioners and she has no objection in case the FIR in question is quashed qua them.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

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***, this petition is allowed and F.I.R. No.544 dated 03.07.2019 registered under Sections 323, 354-A, 354-B, 506, 34 of IPC at Police Station Civil Lines, Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/affidavit dated 21.08.2019 (Annexure P-2), however, that would be subject to payment of costs of Rs.10,000/- to be

deposited with the Kalpana Chawla Govt. Medical College and Hospital, Karnal within a period of one month from today and the said amount would be spent for the treatment of cancer patients within the knowledge of its Medical Superintendent.

(HARI PAL VERMA)
JUDGE

29.11.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No