

263.

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

CRM-M-52611-2018

Date of decision: 15.01.2020

DHIRENDER SINGH @ RINKU AND OTHERS

... Petitioners

versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Amandeep Rana, Advocate,
for the petitioners.

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

Mr. Subhash Chander, Advocate, for
Mr. Amandeep Saini, Advocate,
for respondents No.2 to 4.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.324 dated 28.06.2016 registered under Sections 354, 323, 452, 506, 34 of IPC (Section 325 of IPC added lateron) at Police Station Civil Lines, District Gurugram (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 15.11.2018 (Annexure P-2).

This Court vide order dated 28.05.2019 had directed the parties to appear before the Illaqa Magistrate/Duty 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 Judicial Magistrate Ist Class, Gurugram and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.11.2019 to the effect that the matter has been settled between the parties amicably/voluntarily, without any pressure or coercion.

Respondent No.2-complainant, namely, Roshan Khatoon has made a joint statement along with respondents No.3 and 4, who are her husband-Sadre Alam and daughter, the victim respectively, with regard to compromise before learned Magistrate on 15.06.2019. As per the joint statement of the complainant, the matter has been compromised between the parties and the present petition has been filed by the petitioners seeking quashing of FIR while taking them into confidence. The complainant and the victim have no objection if the FIR is quashed.

Learned counsel for respondents No.2 to 4, on instructions from his clients, who are present in the Court, submits that the respondents-complainant have no objection in case the present FIR is quashed, as the matter has been compromised.

Learned State counsel also does not dispute the factum of compromise between the parties.

In view of above, since the matter has been compromised between the parties, 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.324 dated 28.06.2016 registered under Sections 354, 323, 452, 506, 34 of IPC (Section 325 of IPC added lateron) at Police Station Civil Lines, District Gurugram (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 15.11.2018 (Annexure P-2), however, that would be subject to payment of costs of Rs.15,000/- to be deposited with the High Court Bar Association in the Lawyers' Welfare Fund.

(HARI PAL VERMA)
JUDGE

15.01.2020
sanjeev

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