

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

232

CRM-M-25678 of 2020
Date of Decision: 26.11.2020

Manpreet Singh and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Ms. Kusum Raj, Advocate for the petitioners.

Ms. Sheenu Sura, AAG, Haryana.

Mr. Nafeesh Ahmed, Advocate for respondent No.2.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.325 dated 27.11.2018 under Sections 279, 337 and 338 IPC, registered at Police Station Chandimandir, District Panchkula (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 02.09.2020 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Additional Chief Judicial Magistrate, Panchkula and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 23.11.2020 to the effect that the compromise arrived at between the parties is genuine, voluntarily and without any coercion or undue influence, being outcome of their free will and consent.

Respondent No.2-complainant, namely, Dinesh Verma, has made a statement with regard to compromise before learned Magistrate on 20.11.2020 to the effect that he has compromised the matter with the petitioners-accused without any fear or pressure and has no objection if the present FIR registered against the petitioners-accused is quashed.

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 FIR No.325 dated 27.11.2018 under Sections 279, 337 and 338 IPC, registered at Police Station Chandimandir, District Panchkula (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise (Annexure P-2).

26.11.2020

D.Bansal

(HARI PAL VERMA)
JUDGE