

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

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CRM-M-40220-2019 (O&M)

Date of Decision: 28.01.2020

Vijay Pal and Others

... Petitioners

vs.

State of Haryana & Others

.. Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Vivek Sharma, Advocate for
Mr. Diwan S. Adlakha, Advocate, for the petitioners.

Mr. Sulinder Kumar, AAG, Haryana.

Mr. Navjeet Singh, Advocate for
Mr. D.S.Virk, Advocate, for respondents No.2 and 3.

VIVEK PURI, J.(ORAL)

Through instant petition, the petitioners are seeking quashing of FIR No. 59 dated 20.02.2012 under Sections 365/342/323 and 34 IPC registered at Police Station, Sector-5 Panchkula and all the consequential proceedings arising therefrom, on the basis of compromise dated 07.05.2019 (Annexure P-2) arrived at between the parties.

On 01.10.2019, notice of motion was issued and parties were directed to appear before the trial Court and get their statements recorded with regard to the compromise arrived at between them.

At the first instance, the learned Chief Judicial Magistrate, Panchkula had submitted a report dated 17.01.2020, the relevant portion whereof reads as under:-

“From the statement of the parties it appears that the parties have validly compromised the matter/dispute, and the said compromise has been arrived at without any kind of undue influence or pressure. It is made clear that all the accused persons who are on bail are appearing before the court and no other criminal case is pending against them as per statement suffered by them.”

Subsequently, after recording of statement of respondent No.3, a supplementary report has also been received from the Court of Chief Judicial Magistrate, Panchkula, the relevant portion whereof is reproduced hereinbelow:-

“From the statement of the said complainant it appears that the complainant has validly compromised the matter/dispute with the accused, and the said compromise has been arrived at without any coercion or undue influence. Let report in this regard be sent to Hon'ble Punjab and Haryana High Court, Chandigarh.”

Learned counsel appearing on behalf of both the parties admit that the parties have settled their dispute.

In view of said circumstances and following the Full Bench judgment of this Court in ***Kulwinder Singh and others Vs. State of Punjab and others 2007(3) R.C.R. (Criminal) 1052***, the present petition is allowed and FIR No. 59 dated 20.02.2012 under Sections 365/342/323 and 34 IPC registered at Police Station, Sector-5 Panchkula and all the consequential proceedings having arisen therefrom are hereby quashed qua the petitioners.

(VIVEK PURI)
JUDGE

28.01.2020

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Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No