

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

CRM-M-40521-2019

Date of decision : 10.02.2020

Jai Bhagwan and others

.... Petitioners

Versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ram Bilas Gupta, Advocate
for the petitioners.

Mr. Ashish Sanghi, DAG, Haryana.

Mr. Hardeep Singh, Advocate
for respondents No.2 to 8.

MANJARI NEHRU KAUL, J (ORAL)

The instant petition under Section 482 Cr.P.C. has been filed seeking quashing of FIR No.262 dated 02.06.2019, under Sections 323, 34, 354-A, 354-B, 452 and 506 of IPC, registered at Police Station S.G.M. Nagar, District Faridabad and the consequential proceedings arising out of the same, on the basis of compromise dated 21.08.2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 20.09.2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 06.11.2019 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Faridabad, in pursuance to the direction of this Court. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will. The trial Court has annexed the statements of the parties in original alongwith its report except petitioners No.2 and 3 as they were not present to record their statements as challan was not presented against them.

Learned State counsel also submits that there are no other accused other than the petitioners and respondents No.2 to 8 are the only aggrieved person in the FIR in question.

In view of the report of the learned JMIC, Faridabad and the principles laid down by the Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, and also by the Full Bench of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

10.02.2020

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No