

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

Sr. No. 208(3)

CRM-M No. 34764 of 2021

Date of decision : 05.10.2021

Akash and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Gurmail Singh Duhan, Advocate for the petitioners.

Mr. Zorawar Singh Chauhan, DAG, Haryana.

Mr. S. S. Gill, Advocate for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.333 dated 20.06.2021 registered under Sections 120-B, 148, 149, 323, 365, 367, 506 IPC at Police Station Pundri, district Kaithal on the basis of a compromise dated 02.08.2021 (Annexure P-2) entered into between the parties.

On 16.07.2021, in the connected petition filed by co-accused Gaurav being CRM-M No.27240 of 2021 – Gourav Vs. State of Haryana, this Court had directed the parties to appear before the trial Court/Duty Magistrate to record their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise between the parties. Accordingly, vide report dated 27.09.2021, the Judicial

Magistrate First Class, Kaithal has informed that the parties had recorded their statements before her in terms of the compromise arrived at between them. Learned counsel for respondent No.2 also submits that the matter between the petitioners and respondent No.2 has been compromised.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR, in which the complainant has not identified the accused; the matter is at the stage of investigation and having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in ***Kulwinder Singh and others Vs. State of Punjab and others, 2007 (3) RCR (Criminal) 1052***, this Court deems it just and proper to allow the petition and resultantly quash FIR No.333 dated 20.06.2021 registered under Sections 120-B, 148, 149, 323, 365, 367 and 506 IPC at Police Station Pundri, district Kaithal and all proceedings arising therefrom qua the petitioners.

05.10.2021*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No