

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

CRM-M-29745 of 2020.

Decided on:- March 01, 2021.

Raju Bhadana and others

.....Petitioners.

Versus

State of Haryana and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Shashi Kant Singh, Advocate for
Mr. Kunal Dawar, Advocate
for the petitioners.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

Mr. Rohit Rana, Advocate
for respondents No.2 to 6.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.820 dated 14.12.2019 under Sections 120-B, 147, 148, 323, 385, 452 and 506 IPC registered at Police Station Suraj Kund, District Faridabad (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 29.02.2020 (Annexure P-2).

This Court vide order dated 25.09.2020 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their respective statements recorded with regard to compromise and the Court was directed to send its report qua genuineness of the compromise.

Pursuant to the aforesaid order, the parties had appeared before learned Chief Judicial Magistrate, Faridabad and got their statements recorded on 13.10.2020. On the basis of the statements so recorded by the parties, learned Magistrate has submitted the report dated 14.10.2020 to the effect that the compromise has been effected without any external pressure, coercion or force and is a valid compromise.

Respondent No.2-complainant, namely, Raj Kumari @ Man Kumari and respondents No.3 to 6-injured Manoj, Basant, Jorj and Vikki @ Pushpraj have made a joint statement with regard to compromise before learned Magistrate on 13.10.2020. The same is reproduced as under:-

“It is stated that on 13.12.2019 accused persons entered our house and beaten us. Regarding which aforesaid FIR against the accused persons was lodged. Now, with the intervention of the respectable of the village, we have compromised with the accused and we do not want any action against the accused. Compromise has been effected between us without any pressure, undue influence or coercion. By our own volition and free will compromise has been effected and hence, above mentioned statement has been suffered by us in the court. It is further stated that in view of the compromise, we have no objection if the said F.I.R. is quashed.”

Learned State counsel as well as learned counsel for respondents No.2 to 6 have not disputed the factum of compromise between the parties.

In view of the above, continuation of the proceedings before the trial Court in the instant FIR qua the petitioners shall be an abuse of the process of law.

Thus, 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*, the present petition is allowed and the of FIR No.820 dated 14.12.2019 under Sections 120-B, 147, 148, 323, 385, 452 and 506 IPC registered at Police Station Suraj Kund, District Faridabad (Annexure P-1) and all consequential proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 29.02.2020 (Annexure P-2).

March 01, 2021
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No