

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

232

CRM-M-44127-2020

Date of Decision:31.03.2021

Hardeep Singh

.....Petitioner

Versus

State of Haryana and another

.....Respondents

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

Present: Mr. Rishi Lal, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana,
for respondent No.1.

Mr. Rajesh Nain, 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.06 dated 06.01.2018 under Sections 279, 338 IPC, registered at Police Station Parao Ambala Cantt., District Ambala (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 21.12.2020(Annexure P-2).

This Court vide order dated 05.01.2021 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 Judicial Magistrate 1st Class, Ambala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.02.2021 to the effect that the compromise is genuine, voluntary and without any coercion or undue influence.

Respondent No.2-complainant, namely, Ravinder Singh, has made a statement with regard to compromise before learned Magistrate on 03.02.2021. The same is reproduced as under:-

“Stated that the dispute arising from aforesaid FIR No.6 dated 6.1.2018, under Sections 279 and 338 of IPC, Police Station Parao, has been compromised with the accused with the intervention of the respectables of the society and members of the family with a view to secure peaceful life for both the parties and their family members and also in order to avoid any bad blood between the parties in future. Compromise has been arrived at voluntarily with consent of the parties and without any coercion or undue influence, pressure etc. from any side. Parties shall remain bound by terms of the compromise. Aforesaid FIR alongwith all the consequential proceedings arising therefrom against the accused may kindly be 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.06 dated 06.01.2018 under

District Ambala(Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise dated 21.12.2020(Annexure P-2).

March 31, 2021
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No