

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 272

CRM-M-5795-2020

Date of decision : 26.07.2022

Sunil and another

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Mr.Karan Sharma, DAG, Haryana.

None for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.296 dated 15.06.2015 registered under Sections 294, 506, 323 and 34 IPC at Police Station Civil Lines, District Rohtak on the basis of a compromise dated 02.02.2019 (Annexure P-2) entered into between the parties.

On 10.02.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court for recording of 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 number of accused arrayed, how many have appeared before it, have made statements and whether any of them is absconding/P.O.; name of the complainant and aggrieved and whether all of them have appeared and made their respective statements in support of the compromise; the stage of trial/proceedings and whether the compromise is genuine, voluntary and out of free will of the parties.

As directed, report dated 11.01.2021 from the Judicial Magistrate, Ist Class, Rohtak has been received as per which the parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them; only the petitioners are arrayed as accused; none of them has been declared proclaimed offender(s); respondent No.2 is the only complainant/aggrieved; the case is at the stage of the evidence of the prosecution and that the compromise is

voluntary, without any coercion or undue influence.

Learned State counsel has 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 offences are not heinous as also the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Supreme Court in *Narinder Singh vs State of Punjab* (2014) 6 SCC 466, this Court deems it just and proper to allow the petition and resultantly quash FIR No.296 dated 15.06.2015 registered under Sections 294, 506, 323 and 34 IPC at Police Station Civil Lines, District Rohtak and all proceedings arising therefrom qua the petitioners.

26.07.2022
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No