

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

286

CRM-M-9267-2022

Date of Decision: 15.09.2022

Kiran & anr.

....Petitioners

VERSUS

State of Haryana & anr.

....Respondents

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. K.S. Brar, Advocate,
for the petitioners.

Mr. Vishal Kashyap, AAG, Haryana.

Mr. Tripat Mann, Advocate,
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.0034 dated 19.01.2022 registered under Sections 384 and 34 IPC at Police Station Sadar Fatehabad, District Fatehabad, on the basis of compromise and affidavit (Annexures P-2 and P-3).

The above stated FIR was registered on the statement of complainant/respondent No.2-Gurvinder Singh against the petitioners.

On notice of motion, respondent No.2 appeared in the Court through his counsel and pleaded that he has no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

During the course of preliminary hearing, the trial Court/Illaqa

Magistrate was directed to record the statements of all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Additional Chief Judicial Magistrate, Fatehabad, along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

I have heard learned counsel for the parties.

Learned counsel for the parties are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

I am of the view that the aforesaid compromise is in the welfare and interest of the parties and will enable the parties to live in peace and enjoy their life in a dignified manner. Also there is no legal impediment in translating their wishes into reality by putting an end to the criminal prosecution initiated on the basis of FIR in question. Further as the matter has been compromised, the continuation of the proceedings would amount to abuse of the process of the Court.

For the reasons aforestated and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.0034 dated

19.01.2022 registered under Sections 384 and 34 IPC at Police Station Sadar Fatehabad, District Fatehabad, and all the subsequent proceedings are hereby quashed qua the petitioners.

15.09.2022
monika

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No