

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-10612-2022 in/and
CRM-M-41738-2021 (O&M)
Date of Decision:-2.4.2022

Komal Kumar and others ... Petitioners

Versus

State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Pardeep Singh Poonia, Advocate for the petitioners.

Mr. Rajiv Sidhu, DAG, Haryana.

Ms. Meghna Nehra, Advocate for respondents No.2 and 3.

GURVINDER SINGH GILL, J.(Oral)

CRM-10612-2022

In view of the reasons mentioned in the application, the same is allowed and the hearing of the main petition is preponed from 12.10.2022 and is taken on board today.

CRM-M-41738-2021 (Main Case)

1. The petitioners have approached this Court seeking quashing FIR No.270 dtd 1.9.2017, Police Station Pinjore, District Panchkula, under Sections 323, 324, 506 and 34 of Indian Penal Code, wherein offence under Section 307 IPC was deleted at the time of filing report under Section 173 Cr.P.C., and all subsequent proceedings emanating therefrom on the basis of a compromise effected between the parties.

2. Vide order dated 5.10.2021, the parties had been directed to appear before the Trial Court/Illaqa Magistrate so as to get their statements recorded qua the factum of compromise.
3. Report of learned Judicial Magistrate 1st Class, Kalka has been received, wherein it has been reported that the statements of petitioners/accused Komal Kumar, Sikander, Deepak Kumar @ Bunty and also of respondent Nos.2 and 3 namely Gurjit Singh and Yogesh Chawala have been recorded to the effect that they have compromised the matter amongst themselves.
4. Respondents Nos.2 and 3 namely Gurjit Singh and Yogesh Chawala in their statements have stated that they have no objection in case the FIR in question is quashed.
5. Learned Judicial Magistrate 1st Class, Kalka has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.270 dtd 1.9.2017, Police Station Pinjore, District Panchkula, under Sections 323, 324, 506 and 34 of Indian Penal Code, wherein offence under Section 307 IPC was deleted at the time of filing report under Section 173 Cr.P.C., and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

2.4.2022

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Whether reasoned/speaking

Whether reportable

Yes / No

Yes / No

(Gurvinder Singh Gill)
Judge