

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

CRM-M-54210-2019 (O&M)
Date of Decision:-27.10.2022

Mamta and others

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.K. Chugh, Advocate for the petitioners.

Mr. Rajiv Sidhu, DAG, Haryana.

Mr. Kanhiya Soni, Advocate for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking quashing of FIR No.817, dated 22.10.2018, Police Station Sadar, Bhiwani, under Sections 120-B, 323, 341, 420, 497, 506 and 34 of Indian Penal Code and all subsequent proceedings emanating therefrom on the basis of a compromise effected between the parties.
2. Vide order dated 2.8.2022 passed in CRM-26050-2022 in CRM-M-54210-2019, the parties had been directed to appear before the Illaqa Magistrate/Duty Magistrate so as to get their statements recorded qua the factum of compromise.
3. Report of learned Additional Chief Judicial Magistrate, Bhiwani has been received, wherein it has been reported that statements of petitioners/accused Mamta, Vivek, Amit, Bimlesh, Pardeep Sharma, Nathu and also of

respondent No.2/complainant namely Banshi Lal have been recorded to the effect that they have compromised the matter amongst themselves. It has further been reported that the complainant Banshi Lal has, however, agreed for quashing of the present FIR provided all the accused withdraw their cases, which have been filed against him and his son.

4. Respondent No.2/complainant namely Banshi Lal in his statement has stated that he has no objection in case the FIR in question is quashed.
5. Learned Additional Chief Judicial Magistrate, Bhiwani 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.817, dated 22.10.2018, Police Station Sadar, Bhiwani, under Sections 120-B, 323, 341, 420, 497, 506 and 34 of Indian Penal Code and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.
7. The aforesaid order is being passed subject to the condition that the petitioners shall also do the needful for withdrawing the cases, which they have instituted against the complainant Banshi Lal and his son. In case, the needful is not done, it shall be open to the complainant to move an appropriate application for recalling of this order.

27.10.2022

pankaj

(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No