

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

245

CRM-M-1700-2023
Date of Decision:22.05.2023

Ishu Sharma and OthersPetitioners
Vs.
State of Haryana and OthersRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Balbir Kumar Saini, Advocate
for the petitioners.

Mr. Aditya Pal Singla, AAG, Haryana.

Mr. Tushar Kaushik, Advocate
for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.39 dated 02.02.2017 registered under Sections 148, 149, 323, 506 of the IPC (Section 216, 201, 324, 307/34 of the IPC added later on) registered at Police Station Chandimandir, District Panchkula and all subsequent proceedings arising therefrom on the basis of compromise dated 22.05.2022 (Annexure P-2).

This Court vide order dated 17.01.2023 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before Learned Additional Chief Judicial Magistrate and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has

CRM-M-1700-2023

submitted report dated 20.02.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Status report by way of an affidavit of Shri Kishori Lal, HPS, ACP, Panchkula has been filed on behalf of respondent No.1-State. The same is perused.

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 F.I.R. No.39 dated 02.02.2017 registered under Sections 148, 149, 323, 506 of the IPC (Section 216, 201, 324, 307/34 of the IPC added later on) registered at Police Station Chandimandir, District Panchkula and all subsequent proceedings arising therefrom on the basis of compromise dated 22.05.2022 (Annexure P-2), are quashed qua the petitioners.

May 22, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No