

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-2216-2023
Date of Decision:31.05.2023

Pankaj Mittal	Petitioner
Vs.	
State of Haryana & Another	Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Rajandeep Kaur, Advocate for
Mr. Anurag Gupta, Advocate for
the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Karandeep Singh, 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.242 dated 27.07.2022 registered under Sections 186, 353, 506 of the IPC registered at Police Station City Pehowa, District Kurukshetra and all subsequent proceedings thereto including charge-sheet dated 04.11.2022 (Annexure P-2) on the basis of compromise dated 17.12.2022 (Annexure P-3).

This Court vide order dated 16.01.2023 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

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Learned Judicial Magistrate 1st Class and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 02.02.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Reply has not been filed on behalf of respondent-State.

Learned State counsel has objected to quashing of the petition on the ground of compromise, in view of Section 353 of IPC being involved in the case.

However, learned counsel for the petitioner has referred to *CRM-M-31765 of 2012 titled as 'Vinod @ Boda and Others Vs. State of Haryana and Another' decided on 01.05.2013* & *CRM-M-6597-2018 (O&M) titled as 'Karamjeet Singh and Others Vs. State of Punjab and Another' decided on 08.08.2018* in which in the similar circumstances quashing on the basis of compromise was allowed even for the offence involving Section 353 of the IPC.

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.242 dated 27.07.2022 registered under Sections 186, 353, 506 of the IPC registered at Police Station City Pehowa, District Kurukshetra and all subsequent proceedings

thereto including charge-sheet dated 04.11.2022 (Annexure P-2) on the basis of compromise dated 17.12.2022 (Annexure P-3), are quashed qua the petitioner.

May 31, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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