

262(ii)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-2280-2023 (O&M)

Date of Decision: 15.03.2023

RAMESH KUMAR AND ORS

..... PETITIONERS

VS

STATE OF HARYANA AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rakesh Gupta, Advocate for the petitioners

Mr. Rahul Mohan, DAG, Haryana.

Mr. Arun Gupta, Advocate for respondent Nos. 2 to 4.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of Cross Case Rapat No.16 dated 10.06.2009 under Sections 323, 324, 34 IPC (Annexure P-1) registered at Police Station Ismailabad, District Kurukshetra recorded in FIR No.54 dated 06.06.2009 under Sections 323, 324, 34 IPC (Section 326 IPC added later on) along with judgment and order of conviction (Annexure P-3) dated 26.10.2016/27.10.2016 whereby the petitioners were convicted and sentenced to under rigorous imprisonment for one year.

Vide order dated 17.01.2023 of this Court, the parties were directed to appear before the lower appellate Court on 15.02.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Additional Sessions Judge, Kurukshetra, in pursuance of the direction of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and

confirmed. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that he would have no objection if the FIR qua the accused-petitioners is quashed.

The lower appellate Court has annexed a copy of the statements of the parties, alongwith its report.

Learned State counsel too submits that a compromise has been effected between the parties.

In view of the report of the learned Additional Sessions Judge, Kurukshetra and the principles laid down by the Apex Court in ‘**Gian Singh Vs. State of Punjab and others**’ (2012) 10 SCC 303, and also by the Full Bench of this Court in ‘**Kulwinder Singh and others v. State of Punjab and another**’ 2007 (3) RCR (Criminal) 1052, the instant petition is allowed. The aforesaid FIR and all consequential proceedings alongwith the judgment of conviction arising out of it, are quashed.

Needless to say, the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

15.03.2023
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>