

249 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:088470
CRM-M-3242-2023
Date of Decision: July 14, 2023

Chhinda Singh alias Surender Singh and others ...Petitioners

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kushager Goyal, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Brijesh Kumar, Advocate for respondent Nos.2 to 4.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.111, dated 19.05.2019, registered under Sections 323, 34, 341, 342, 506 of IPC (Section 325 IPC added later on) at Police Station Sadar Sirsa, District Sirsa and all subsequent proceedings arising therefrom qua the petitioner on the basis of compromise dated 07.01.2023 as well as affidavits of respondent Nos.3 and 4.

This Court vide order dated 20.01.2023 had directed the parties to appear before the Area Magistrate to get their statements recorded and the learned Magistrate was directed to send his/her report qua the genuineness of the compromise.

Status report by way of affidavit of Shri Ajaib Singh, Deputy Superintendent of Police, Sirsa has been filed on behalf of respondent No.1-State. As per which victim Raj Kumar was un-married and that he was having four legal heirs three brothers and one sister, namely, Darshan, Kalyan Sarup, Surender Kumar and Nirmala Devi

Pursuant to the aforesaid order, parties have appeared before

learned Addl. Chief Judicial Magistrate, Sirsa and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 20.03.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Statements of respondent Nos.2 to 4 were recorded with regard to compromise before learned Magistrate on 27.05.2023.

Learned State counsel as well as learned counsel for respondent Nos.2 to 4 have not disputed the factum of compromise effected 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.111, dated 19.05.2019, registered under Sections 323, 34, 341, 342, 506 of IPC (Section 325 IPC added later on) at Police Station Sadar Sirsa, District Sirsa qua the petitioners on the basis of compromise dated 07.01.2023 as well as affidavits of respondent Nos.3 and 4.

July 14, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No