

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

236(1)

CRM-M-8135-2022

Date of Decision:09.05.2023

Rajesh

.....Petitioner

Vs.

State of Haryana and Others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sanpreet Sandhu, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Ashish Jhamb, Advocate for
Mr. Shivam Chaudhary, 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.177 dated 30.06.2020 registered under Sections 370, 384, 406, 420, 120-B of the IPC and Section 24 of Emigration Act (Sections 370 & 384 of the IPC were added later on) registered at Police Station Madhuban, District Karnal and all subsequent proceedings arising therefrom on the basis of compromise dated 14.02.2022 (Annexure P-2).

This Court vide order dated 22.11.2022 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 Sessions Judge, and got their statements

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recorded. On the basis of the statements so recorded, Learned Additional Sessions Judge has submitted report dated 18.04.2022 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

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.177 dated 30.06.2020 registered under Sections 370, 384, 406, 420, 120-B of the IPC and Section 24 of Emigration Act (Sections 370 & 384 of the IPC were added later on) registered at Police Station Madhuban, District Karnal and all subsequent proceedings arising therefrom on the basis of compromise dated 14.02.2022 (Annexure P-2), are quashed qua the petitioner.

May 09, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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