

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

305 CRM-M-8070-2023 (O&M)
Date of Decision: 21.08.2023

Bhagwat Dayal and others ...Petitioners
V/s
State of Haryana and othersRespondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Sanjay Verma, Advocate, for the petitioners.
Mr. Parveen Aggarwal, AAG, Haryana.
Mr. Prince Nitin Chander, Advocate, for
Mr. Digvijay Singh, Advocate, for respondents No.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.0788 dated 29.12.2019, registered under Sections 147, 148, 149, 323, 324, 379B and 506 of the IPC at Police Station DLF, District Gurugram and all subsequent proceedings arising therefrom on the basis of compromise dated 04.02.2023 (Annexure P-2).

This Court vide order dated 15.02.2023 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 Judicial Magistrate 1st Class, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted

report dated 13.04.2023 to the effect that the compromise has been effected between the parties of their free consent, without any fear, pressure and coercion.

Learned State counsel as well as learned counsel appearing for respondents No.2 to 4 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.0788 dated 29.12.2019, registered under Sections 147, 148, 149, 323, 324, 379B and 506 of the IPC, at Police Station DLF, District Gurugram and all subsequent proceedings arising therefrom on the basis of compromise dated 04.02.2023 (Annexure P-2), are quashed qua the petitioners.

August 21, 2023
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(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No