

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

243

**CRM-M-8068-2020
Date of decision: 19.01.2023**

Ravi and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.K. Tripathi, Advocate
for the petitioners.

Mr. Surender Singh, AAG, Haryana
for respondent No.1-State.

Mr. Rohit Johar, Advocate for
Mr. J.S. Dhaliwal, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.11 dated 09.01.2015 lodged under Sections 147, 148, 323, 506 and 452 of the Indian Penal Code, 1860 registered at Police Station Bilaspur, District Gurugram and the consequential proceedings arising out of the same, on the basis of compromise and affidavit dated 15.12.2018 (Annexure P-2 and P-3) arrived at, between the parties.

Vide order dated 26.02.2020 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 16.03.2020 to get their statements recorded regarding the compromise arrived at, between them.

In compliance of order dated 26.02.2020, report of learned Judicial Magistrate, Ist Class, Pataudi, has been received along with statements of the parties in original. The said report also includes the statements of all three accused injured persons i.e. Prashant, Santosh

and Parveen. In the report, 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.

Learned State counsel submits that only Prashant who was the author of the FIR in question has been impleaded as a respondent to the exclusion of other two injured Santosh and Parveen, however, since their statements have been recorded before the Trial Court wherein they have supported the factum of the compromise so arrived at between the parties, he has no objection if the FIR in question is quashed.

In view of the report of the learned Judicial Magistrate, Ist Class, Pataudi 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 Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, the instant petition is allowed. The aforesaid FIR and all consequential proceedings 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.

19.01.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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